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THE NEW REPUBLIC

September 4, 1965, 35 cents

UNIV OF VERMONT
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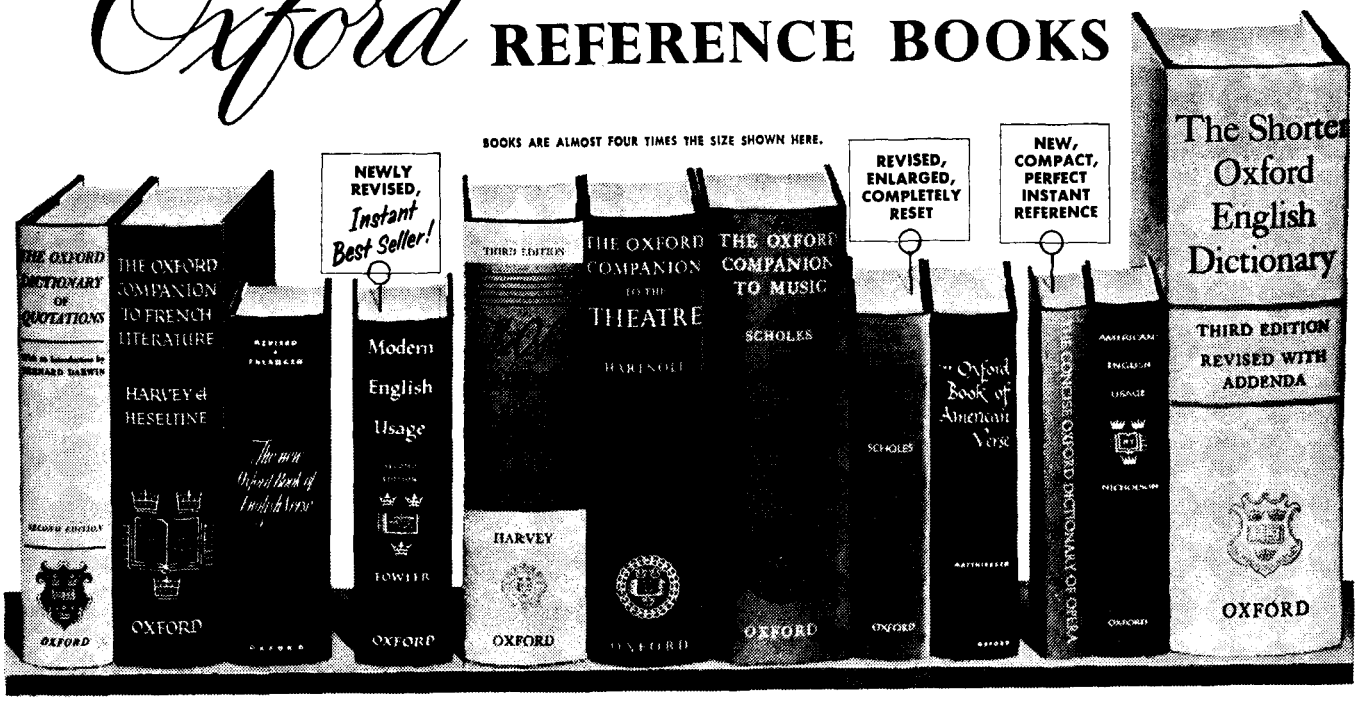

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T.R.B. *from Washington*

Playing Against a Pro

★ Mr. Johnson pursed his lips, glanced demurely down and spoke in a mild voice. He had been asked at his press conference to comment on the GOP "white paper" on Vietnam, the latest effort of Republican House leader Gerald Ford to score points.

The President stood in the ornate East Room of the White House surrounded by an oblong aluminum scaffolding. This is a new gimmick. Its top is rimmed with lights like those in a theater. Behind him was a blue cloth. Millions watched on TV.

Mr. Johnson looked patient and gravely noble. He allowed his lips to flicker into a little wistful smile, immediately erased. "The boys that are fighting the war," he said with saintly mildness, "are not Republicans and Democrats." A minute later he had got poor old Ike in again. The latter, he remarked, is "a tower of strength."

The Republican leadership is like a scrub team playing against pros. It had some good points in its White Paper. Notably there were LBJ's comments calling the martyred Goldwater trigger-happy in the election: "Some others are eager to enlarge the conflict. They call upon us to supply American boys to do the job that Asian boys should do." Who said that? Why, Lyndon, on August 12, 1964!

And on August 29 the same candidate said, "I have had advice to load our planes with bombs and to drop them on certain areas that I think would enlarge the war, and result in our committing a good many American boys to fighting a war that I think ought to be fought by the boys of Asia to help protect their own land. And for that reason, I haven't chosen to enlarge the war." Only a year ago! And yet Mr. Johnson has all the advantages now because the House GOP is insincere. First it denounces him for going too far; then for not going far enough. Its frantic search for an issue is painful. After LBJ's latest rebuff GOP leaders explained lamely that their White Paper "is not intended as a political document. It is a work of scholarship."

Let's go back a bit. Now the place is the rotunda of the Capitol. It is August 9. It is really a magnificent scene. Seats have been set up beneath the great dome. Mr. Johnson stands between two heroic sculptures of Lincoln. He has come up to sign the Civil Rights Act. For simple theatricalism the spot couldn't be beat though the resonance is terrible. His words echo from the walls like a train announcer making the final call for the Chicago Limited in the old Pennsylvania Station. Mr. Johnson shows a deep evangelism at moments like this; he is not play-acting. His voice rises now up and up, mingling with the crowd's applause and echoing off the circular walls into the cast-iron central dome. It sounds like a wind up there, or like some forgotten blue-clad regiment murmuring "John Brown's Body."

Is the GOP Doomed?

★ Ten days later we have another visitor at the Capitol. The hopeful Republicans have maneuvered their principal prop and ornament, Gen. Eisenhower, up to the Hill to support their position against forgiving UN debts, and responsibility for Vietnam.

Ike is having a lovely time. He is quite alarmingly pink. Everybody applauds him. Tourists clap. Ah, if only GOP leaders would let him stick to denouncing "the new economics!" He is almost angry when a reporter asks if he still thinks deficits will bring inflation? Of course they will; and he volunteers, too, that the country has been "atmosphered" into lawlessness.

Unfortunately for the General, even most of the GOP leaders have now accepted the new economics, and big business, too. Furthermore, the wily White House sends Ambassador Goldberg to win Ike over on the UN, while he dismisses as "rot" any suggestion that he is at odds with Johnson on Vietnam.

Is the GOP doomed then? Not at all! The Administration is putting into effect, week after week, some of the best and most-difficult-to-administer social legislation of the century. It would be too long to go over it in detail, the poverty program, Medicare, the federal rent subsidies in housing, the new general education bill. It will take a generation to learn how to control and discipline these fine new programs and we expect there will be waste, inefficiency and duplication in them, and we shall be lucky if there isn't corruption, too. It takes us right back to the New Deal days, and the ultimate revulsion against "the mess in Washington." There are tides in Washington, the incoming tide of innovation; the outgoing tide of consolidation. We see no reason to think the old lunar pull has changed. Conservatism will be back again, we imagine, when the emphasis again shifts to administration rather than to pioneering.

President Johnson has one big political difficulty, too. He hasn't much of a personal following – crowds that are passionately loyal to him the way they were to Kennedy, or Eisenhower or Roosevelt. People think of him as a slick operator; they laugh at his power and wince a bit over it; there are a lot of LBJ-"God" jokes going around. He is not an easy man to love and a lot of people are not really committed to him emotionally (yet thankful that he's in charge). After a while they may laugh if somebody trips him up.

★ *Notes:* Everybody agrees the GOP needs city votes, yet House Republicans voted 9 to 118 against the new Department of Housing and Urban Development; 26-110 against the housing bill (rent subsidies); 65-73 against Medicare; 21-117 against right-to-work repeal, and so on.... Republican governors set up their own headquarters in Washington next week and it's a fine thing – they will serve as a counterweight to the righest GOP leadership in Congress; 15 GOP governors face elections next year and are a lot closer to public sentiment than the congressional leaders, mostly from one-party districts.... Biggest news in August, perhaps, came from Cali, Colombia, where the first Latin American conference (highest birthrate in the world) discussed birth control, with strong papers from Catholic priests.

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THE NEW REPUBLIC *A Journal of Opinion Volume 153 Number 10 Issue 2650 September 4, 1965*
Published weekly (except July and August when it is biweekly) and distributed by The New Republic, *1244 19th St., N.W., Washington, D. C. 20036. Phone FEderal 8-2494. Single copy 35c. Yearly subscription, $8; Foreign, $9; Armed Forces personnel or students, $6.50. Send all remittances and correspondence about subscriptions, undelivered copies, and changes of addresses to Subscription Department,* The New Republic, *381 West Center Street, Marion, Ohio 43301.* *Copyright© 1965 by Harrison-Blaine of New Jersey, Inc.* *Item g. Second Class Postage Paid at Washington, D. C. Indexed in* Readers' Guide.

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Start Talking

More and more of the brutal and brutalizing Asian-style fighting is devolving on young American soldiers, and there are about half-a-million homeless and hungry refugees in South Vietnam, whose population is only 14 million. The reeling and exhausted South Vietnamese army twitches to commands of a military junta, but most of the people have no notion who is in charge in Saigon, nor do they much care. About half of them live in areas the Viet Cong controls. Not long before he was assassinated, President Kennedy stated his opinion that the government in Saigon could not win the war unless it managed to get popular support. There have been many governments there since, none has had that support, and at this late date mass enthusiasm is not likely to be generated by the arrival in Vietnam of a CIA expert in popular revolutions – Edward G. Lansdale of Philippines fame. Saigon's military leaders depend on the army, an army now sagging in defeat, and are supremely uninterested in the civilians. Though the US initially entered South Vietnam only to "advise," advice is about the least-valued American commodity in Saigon. The South Vietnamese prime minister, Marshall Nguien Cao Ky, has just taken time out to visit Formosa, though the State Department strongly urged him not to. There, wearing a gleaming white uniform, Ky proposed to Chiang Kai-shek "an alliance of anti-Communist nations in Asia to fight North Vietnam and China." He boasted that he was ready to "win the war" now that the political situation in Saigon was "stabilized." He isn't, and it isn't. The blunt truth is that continuation and, if possible, further escalation of the fighting is the only hope for the Saigon officer class: They have muddled too much, intrigued and conspired too much, estranged too many people for there to be any future for them in a South Vietnam that is restored to peace. Many of them know it, and when things get too hot they'll flit to sanctuaries they have waiting for them in France and Switzerland where their bank accounts will ensure that they do not starve like South Vietnam's refugees. Meanwhile, what have they to lose in trying to extend the war? The US would have to do most of the fighting; the Saigon officers could go on wearing white uniforms. It's a gambler's throw of dice with someone else's chips as the stakes.

But in Washington last week a different sort of gamble was in the making, having nothing to do with Marshall Ky's alliance to fight North Vietnam and China. Unmistakably, the Administration wants

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to liquidate this war, but do it without undue humiliation abroad and without inviting its own political destruction by Republicans who stand ready to lambaste the Democrats either for being too "soft" or too "hard." "Our problem," Secretary Rusk said on August 23, "is to get the other side to the conference table," to which the President on the following day added: We're ready "right now . . . at the drop of a hat." Mr. Johnson's new ambassador to the United Nations, Arthur Goldberg, was equally emphatic: "We are talking about a peace that should be negotiated here and now. Here and now." The US is willing, Mr. Johnson had earlier said, to confer with Hanoi or "any government" concerned; the presence of the Viet Cong at such talks would not pose an "insurmountable" problem. That would appear to satisfy in part the complaint voiced last spring by the Secretary-General of the National Liberation Front, who told George Chaffard of *L'Express* that, "what we reject is a conference which doesn't include us. . . . The foreign powers should content themselves with expressing suggestions, with ratifying the agreements reached among Vietnamese, and with guaranteeing its execution." Chaffard's own conclusion, after an extensive journey in "enemy territory" was that, "it is to the men of the NLF, who are fighting, that one should offer an alternative, not to Hanoi which is content merely to aid them." Aid from the North has, of course, increased since Chaffard's visit – as has American aid to Saigon, and more than aid. The war is quickly and dangerously becoming an American war against Asians, not a war between Asians.

Heretofore, US policy had been to insist on pegging peace talks to Hanoi, on the theory that the Viet Cong are puppets whose strings are pulled by North Vietnam. Hanoi similarly scoffs at Saigon as the puppet of Washington. American experience with its "puppet" suggests that the Viet Cong may well have wills of their own, a possibility that has been acknowledged by Secretary Rusk: "Not all of them [in the National Liberation Front] are Communists," he says; and moreover, "there may also be some tensions between some of the Southerners and some of the Northerners within the Liberation Front." For example, the Viet Cong, which has done the fighting, may be in no hurry for reunification which would put the South under the rule of the North. The way may be more open than some in the Administration once thought – or could ever learn by listening to what comes out of Hanoi – for a provisional coalition in South Vietnam made up of representatives of South Vietnam's Buddhists, Catholics, Montagnards, resident Chinese and Cambodians and other minorities as well as the leaders of the NLF. And looking further ahead, Secretary Rusk declares that, "we are prepared for elections in South Vietnam to determine what the people of that country want in terms of their own institutions."

The US is not going to pull out its forces as a precondition for talks; this must be understood by the National Liberation Front. Nor could there be an immediate, total US withdrawal. From time to time, however, spokesmen for the Front have hinted that a phased disengagement would do, and Washington has more than once stated repeatedly that eventual withdrawal is desirable. "We have no interest," Secretary Rusk says, "in military bases or permanent military presence in Southeast Asia." "If aggression ceases from the North," Ambassador Goldberg says, "our activities in South Vietnam will likewise cease." The gap between what is tolerable to the United States and to its foes in Vietnam narrows, though a fruitful diplomatic dialogue has yet to begin.

What more could the US do to persuade the other side to begin talking "here and now?" According to McGeorge Bundy, "we would be willing to consider cessation of the bombings if it were a step toward peace." It would be a step. Why should there not be a halt, *now*, to the bombing of North Vietnam and of the villages in South Vietnam suspected of harboring Viet Cong units? Very little would be lost in doing so; the bombing of North Vietnam has failed to force Hanoi to the conference table, and the bombing of wretched jungle villages seems only to make more civilians homeless; the elusive Viet Cong slips away. American troops who fight on the ground have occasionally managed to make the guerrillas stand and fight – and die – but mostly our men have wound up their forays as the abashed captors of old men, women and children, inhabiting villages to which the Viet Cong returns soon after the Americans leave.

Could not the President likewise privately inform the Secretary-General of the United Nations and other relay channels of his readiness to accept a cease-fire, "here and now," while pledging US support for a new provisional government in the South that would include the National Liberation Front? It would clarify matters too were the President to make even more explicit US endorsement of a phased withdrawal of *all* outside military forces in South Vietnam, and to repeat his constructive promise of some months back, that the US is prepared to contribute economic and technical assistance for the enormous tasks of reconstruction a settlement will permit.

Neither side can be expected in advance of formal talks to dot every "i" and cross every "t." But vague generalities no longer suffice. If a sustained diplomatic initiative of the kind suggested here is made, and is then rebuffed by the other side, the line of march can be predicted. This miserable war will drag on and on, to the satisfaction of no one – except possibly some officials in Saigon and Peking.

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When the Poor Are Powerless

Last week Lyndon Johnson gave Mayor Samuel Yorty $20 million in federal poverty funds to maintain Los Angeles Negro colonies as the Mayor sees fit. Sargent Shriver had withheld the money nine months because Yorty was unwilling to allow that "maximum feasible participation" of the poor required by the Congress. Yorty was afraid that if the poor people got a foot in the door, they might well lay siege to city hall.

After the riots, the White House relieved Shriver of the mess, and instead, sent to the coast Governor LeRoy Collins, now the Undersecretary of Commerce and until recently the head of the Community Relations Service. Collins sat down with Yorty and together they constructed a dummy corporation for the receipt of poverty funds.

The Los Angeles agreement carries the national poverty program to its final absurdity. The byzantine set-up provides for a 25-member Economic and Youth Opportunities Agency. Of the 25 members, seven will represent the poverty areas. Most of the rest represent city and county agencies or are from private welfare agencies and generally are behind the Mayor. Yorty has gone to extreme lengths to protect himself even from the seven poor who are selected in this curious manner: Governor Collins appointed 10 prominent Los Angeles citizens, all of them Yorty supporters, and only one or two of them from the slums. They in turn will select a panel of 14 poor people. From this panel, the Mayor will select four members; the county supervisors will select three. These seven will represent the poor for an interim period while the American Arbitration Association constructs a "democratic process" by means of which seven others can be chosen on a permanent basis. But even then the Mayor and the supervisors must finally appoint the democratically selected seven to the poverty board. It seems unlikely that the Los Angeles poverty program will ever reflect any other aspirations than those of Yorty. The people to be affected once again will not have any say in what will happen to them.

If there were to be a change for the better in Watts, the poverty program would have been the natural instrument to effect it. Like every other slum in every other city in this country, Watts receives its daily ministrations from the outside world through the police and the welfare workers. The miseries of living in such an area are exacerbated one hundred fold in Watts because its residents are black. Most of the people who pass by Watts on the freeway see only its rooftops. Statistics about the place might have come out of New York, Philadelphia or Chicago. Unemployment runs to over 30 percent; sixty percent of the people are on relief; the school dropout rate is two and one half times that of the city average; one-third of the children are from broken homes; one fourth are illegitimate; only one-third have a high-school diploma. Fifty-seven percent of the population of Watts is from the South. Since 1950, the population has increased by more than 110 percent.

A correspondent who has spent a good deal of time in Watts before and during the riots reports that to most of the people there, "the successful Negro might just as well be white. When he moves up the social scale, he moves out of Watts. Unskilled, uneducated, the people of Watts remain dispossessed. The civil rights movement in Los Angeles has been middle class. It never found a way to reach or enlist the masses in the ghetto. It has been concerned with business and professional-class Negroes who want to move to all-white neighborhoods.

"Far from being regarded as hoodlums and criminals the youthful rioters in the ghetto were regarded as heroic guerrillas, the authentic voice of the Negro's frustration and rage. It was nearly unanimous in the hard core of the ghetto, the Watts section, where people never had an identity before the uprising. They found their voice and their own angry pride in blood and flames. 'We know we can take this city anytime we want to,' a teenager said, 'and if things don't change, we gonna move again'."

The hope for the poverty program was not that it would wipe out poverty over night but that it would begin to revive the instruments of representative government which lie in wreck and ruin in the fast-growing, fluid Negro slums that now are the core of the American city.

What matters most in Watts, on Chicago's west side, in Harlem, is that the federal poverty program reach down and begin the tedious job of constructing democratic institutions in the slum blocks so that these stagnant wastelands can have a voice in governing.

Mr. Shriver does not have a pleasant job. He must slide his ideas through a maze of state and city politicians whose short term interests may be hurt by the stirring up of the poor. But first in Chicago and now finally in Los Angeles the Administration just gave up. The Office of Economic Opportunity originally was fired by the proposition that the poor should direct their own destinies. But lately has come to adopt all the trappings of a Colonial Office.

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The Way Sam Yorty Sees It

Somebody Out There Hates the Mayor

Los Angeles

Whatever else they may have bloodied, burned, clouded, confused and destroyed, the Negro riots in Los Angeles have brought into clear focus the source of the surprising appeal and power of Mayor Samuel W. Yorty. For Yorty's nasally petulant *charisma* is a classic case of the appeal to large groups of Americans of the man who is quick to see that somebody *out there* is out to get us, by conspiracy, stealth, and foul play, and so equally quick to decide that everything that we do not like that happens *in here* is the fault of *them*. The leader who can most fully capitalize on these anxieties is the man who can convincingly channel the flow of these malignant forces, can sincerely believe, or seem to believe, that somebody out there hates *me*. And why? Because *they* know I know and that I am sworn and dedicated to protect you from them (cost what it may to me or you).

This kind of inner scenario, I submit, explains the reborn career of Sam Yorty since he was elected Mayor of Los Angeles. All through his first term, his constant passionate explanation of the undefined impression that very little seemed to be getting accomplished (he *did* manage to combine the rubbish into one collection) was the conspiratorial, cabalistic presence of the "Obstructionist Bloc" in the City Council, which bloc often seemed to consist of one councilwoman, Rosalind Wyman, whose husband Eugene Wyman is California's Democratic National Committeeman. Not only were the Wymans conspiring out of apparently hereditary personal venality, but they were, moreover, the local arm of a kind of statewide mafia of Democrats.

In his campaign for reelection this past spring, Yorty merely shifted some of his fire to Congressman James Roosevelt and widened the conspiracy to include federal powers in Washington. Roosevelt, though a longtime resident of California, had for many years unfortunately lived a good part of the time in Washington as a Congressman and thus was an *outsider* and, further, one who was trying to impose federal politics on local freedom by running for mayor while maintaining a federal office (as, for example, had former Los Angeles Mayor Norris Poulson and present San Francisco Mayor John Shelley). Big Money was behind Roosevelt, seen initially as a lackey of both state and federal cabals and finally also as a dupe (and supporter, i.e., his position on HUAC) of left-wing extremists – all of whom were out to get the one man who stood between the people and their varied clutches, namely, Samuel W. Yorty. It went down so well that Yorty won an unprecedented victory in the primary (and Rosalind Wyman, after several easy reelections, was unseated from the City Council).

The strange way that all of this works in its mature form began to take shape in the fight over the local war on poverty that preceded the recent violence, but that now has been settled to the satisfaction of the Mayor. In the rubble of the complete failure of this program to even get started in Los Angeles, Yorty pointed the righteous finger at his three usual enemies: left-wing and Negro demagogues, who have been "playing politics" with the issue; Governor Edmund G. "Pat" Brown and other state authorities, who have been "playing politics" with the issue; and Sargent Shriver and other federal overlords, who have been "playing politics" with the issue. Since the riots, Yorty has accused Shriver of using "strong-arm tactics," and cites, amazingly enough, the fact that Los Angeles is the *only* city out of more than 500 in the United States which had not been given its funds and started on its program. Now, it would appear obvious to most people that if Los Angeles was the only city that this happened to, there might be something wrong with what Los Angeles and its Mayor were doing: principally, stubbornly refusing to comply with the terms of the program. But, no, in the strange emotional world of Sam Yorty's Los Angeles, this is just one more proof of the plot against the defender of the people.

Left-wing demagogues, federal officials, state warlords – all have taken their lumps. Sam Yorty and his police department? Never. At this writing, Yorty and his police chief, William A. Parker (Negroes? "This is one city where their treatment is good," says the chief) have pretty much established these factors as the cause of the riots: the federal and state strongarm tactics in refusing to grant the funds to Los Angeles; Negro and left-wing demagogues whose words and actions have bred disobedience to the law and resentment of the white man, defamers of the police throughout the country and in Los Angeles; and the hot weather. Yorty, for example, has declared that any attack on the police (and any criticism is by definition an attack) is an "attack on our American system" and even a part of "a world-wide campaign by Communists, Communist dupes, and sympathizers."

The network *out there* has reached its ultimate complexity, while in here, we blind ourselves to the complex of concrete local conditions and the Mayor's role in relationship to them that *may* have had some part in the whole thing. If the Governor names a board (headed by former CIA Chief John McCone) to examine the causes of the hell-fire in Watts, we raise a fuss over a Negro minister and board of education

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member who was appointed to the board and distort a lengthy and detailed statement by him into another attack on the police; we cry that we weren't consulted, that nobody cooperates with us.

Of course, Negro leaders, including Martin Luther King, have in their comments since the riots played perfectly into Yorty's hands. Their comments have been singularly deficient in humility, humiliation, and plain regret over what happened. After all, it was a civil holocaust, completely perpetrated by Negroes, whom these civil rights leaders claim to represent and claim to have some influence over. At any rate, one can sense a good deal of public irritation, indignation and anger irradiating around their remarks (if the public needed any other source than the riots themselves).

As an example, King's remarks were singled out for criticism by a series of station editorials delivered by Manager Robert P. Sutton over the local CBS affiliate, KNX, although, in typical Yorty-land fashion, the criticism widened far beyond King before the series was finished. King was criticized for continuing to breed resentment in the Negroes (the conditions of their lives would never breed any resentment if it weren't for King and his ilk) and for continuing to incite Negroes to revolt by his statements about the causes of the riots, including "attacks" on the police. By the time he was finished, Sutton was invoking the breakdown of morality and individual responsibility in what he sarcastically called (using King's term) today's "Social Revolution" and drawing, finally, a sinister connection between the civil rights movement and a campaign to criticize (as he put it) "any foreign policy of the United States that seems to stand a chance of winning."

This decline in individual responsibility was keynoted again by a rally in support of Yorty and Parker conducted by the newly established Americans for Law and Order, which organization seemed in the main to be led and manned by members of the right-wing Young Republicans of California and national Young Americans for Freedom.

Yes, out of the rubble of the Southeast section of his city, Mayor Samuel W. Yorty, within that strange Southern California syndrome of parochial paranoia, has apparently risen phoenix-like with an even broader base of power. He is now an even stronger contender as a candidate for governor next year. *Democratic* candidate.

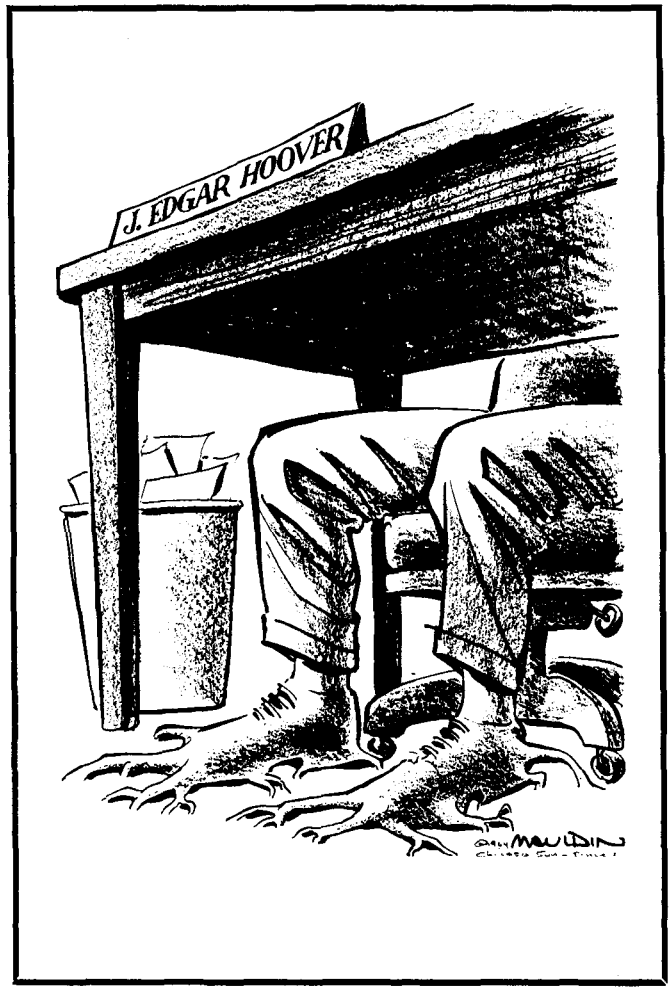
ALAN COSTY

Heil Hoover

J. Edgar Hoover, so long a sovereign monarch within the Justice Department, may now if he chooses take primary credit for causing Congress, and apparently the President, to postpone indefinitely ratification of an agreement between the US and the Soviet Union to establish consulates in principal cities of the two countries. The consular convention, signed over a year ago, would give added protection to the 12,000 American visitors who spend time each year in the Soviet Union and would, in the view of Secretary Rusk, help ease our "rather strained" relations with the Russians.

But that is no concern of King Hoover. His business is spies. He feels that the handful of additional Russians who would be employed in new consulates here would make more work for the FBI. And so they would. And so what?

Actually the treaty is of one-sided advantage to the United States. Under current practice, persons arrested in Russia can be held incommunicado for as long as nine months. Under the treaty, Soviet authorities would be pledged to inform American offcials within three days of an arrest and would have to grant consular access within four days. Moreover, the United States would continue to reserve the right not to admit consular personnel and to expel anyone who abused the immunity from criminal prosecution provided by the convention. There are now only about 850 Soviet citizens living in the United States; the number would not be increased appreciably by the setting up of a



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few consular offices around the country.

On August 10, the conservative Liberty Lobby sent out 160,000 "Emergency Liberty Letters" urging citizens to pressure Congress not to "rubber-stamp . . . LBJ's dangerous treaty." Last week, under a rain of protest from a few midwestern Senators, all quoting from the gospel according to Hoover, Senator Mansfield put up his umbrella and called the game off. He feared, excessively, that he could not muster the necessary two-thirds majority. The President decided not to interfere. He wanted the treaty but not enough to make a fight for it this session.

Sex and Nonsense

Title VII of the Civil Rights Act of 1964 prohibits discrimination in employment on account of race, religion, national origin, *or sex*. Sex as a proscribed ground of discrimination in employment was not the idea of the sponsors of the Act, who considered it a cumbersome irrelevancy. Sex came in by way of an amendment offered on the floor of the House by Representative Howard W. Smith of Virginia, who, though he professed to be serious, surely desired to obstruct administration of the Act and perhaps, if luck was with him, to bring it into ridicule.

The Equal Employment Opportunity Commission, established by the Act, was organized late, almost a year after final passage. There is no evidence that its Chairman, Franklin D. Roosevelt, Jr., who has put in a great deal of time worrying about what his political future should or should not be, has started it off on the right foot, or on any foot at all. But in the meantime, just as that mischievous man in the House must have hoped, everyone is having fun worrying about what is called the "bunny" problem. If a male applies for the job, does Title VII of the Civil Rights Act of 1964 require a Playboy Club to hire him as a "bunny"? And what if the same male applies for a job as clerk in a women's corset shop? And what of the lady who wants to be an attendant in a men's turkish bath? The possibilities are endless. And the Commission, or at least its Deputy Counsel, Richard K. Berg, does not think they are funny. Bunnies, after all, said Mr. Berg at the recent White House conferences on Equal Employment Opportunity, serve drinks. And whether sex can be a qualification for employment on any sales force is something, he added most solemnly, that the Commission will have to decide.

The Commission would be much better advised to worry about the grave and almost intractable problems that have been put in its charge. Why should a mischievous joke perpetrated on the floor of the House of Representatives be treated by a responsible administrative body with this kind of seriousness?

Protecting the Freshmen

Press reports to the contrary, the Administration farm bill had enough votes in the House of Representatives to defeat the milling and baking industry which smeared the bill as a "bread tax." But among John McCormack's duties as Speaker is the protection of Democratic colleagues, especially freshmen, from straying into enemy territory where they could get knocked off by a Republican sniper in 1966. He protected them last week, or at least his city freshmen, when he won the first round of a fight with Secretary of Agriculture Orville Freeman to delete increased miller certificate payments from the wheat section of the bill.

Theoretically it takes 218 votes to pass legislation. Freeman had 225 votes committed. McCormack wouldn't let them be cast.

Getting a farm bill through an increasingly urban legislature is not an enviable chore. It was made harder when the milling and baking industry launched an aggressive drive to get out from under a government plan that would up their operating costs (but decrease federal subsidies) about $250 million. The increase to the millers would come from provisions in the bill requiring them to issue to farmers redeemable certificates worth about $1.27 with each bushel of wheat headed for domestic consumption. That certificate, along with a $1.25 non-repayable loan from the government, would bring the wheat farmer $2.57 a bushel for domestic wheat or roughly 100 percent of parity. President Johnson committed himself to full parity in the law this year, the first President to do so. However, he wanted the millers and bakers to bear more of the cost of raising farm income.

Since 1947 the miller's share of the price of bread has gone up 50 percent, the baker's up 100 percent and the retailer's up 103 percent. Meanwhile the farmer's share has gone down eight percent. Annual food expenditures per person have risen $105 since 1950 but of the increase, the food industry and other marketing agents have received $104. The farmer got the remaining dollar. Freeman's wheat certificate plan would allow farmers an increase of seven tenths of a cent for the wheat used in a pound loaf of bread.

To appreciate what happened in the House one must understand not only Speaker McCormack's anxieties, but the mysterious ways of Washington lobbying. With the help of a newly formed Wheat Users Committee (and contacts of the American Farm Bureau), the bread industry carried its case to Congress. The Wheat Users Committee was represented by Maurice Rosenblatt, who is also Chairman of the Board of Advisers of the National Committee for an Effective Congress, which endorses and raises money for the campaigns of selected liberal Congressmen. Mr. Rosenblatt is a registered lobbyist for National Council Associates (same

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address in Washington as the Committee for an Effective Congress). And National Council Associates registered last May 27 as lobbyist on behalf of the Wheat Users Committee, which Committee is not itself registered at all.

Under pressure, city Democrats, especially freshmen, began to waiver. By mid-July the bill lacked as many as 40 votes for passage, at which point Secretary Freeman, a product of Minnesota's Democratic-Farmer-Labor alliance, entered the battle. City Democrats needed farm votes if they were to repeal Section 14B of the Taft-Hartley Act. Farm Democrats needed city votes for the farm bill. The advantages of marriage were obvious.

Section 14B was repealed by a margin of 18 votes in the House. Northern farm Democrats, many of them risking their political necks for the unpopular Taft-Hartley revision, voted for repeal by a margin of 79-6. In return, they expected support on the farm bill, and got it. Freeman's aides canvassed the House warning the city liberals not to be led astray by claims of lobbyists. Profits were never higher for the millers. Among the top four, Kellogg after-tax profits increased between 1951 and 1964 from $8.3 million to $32.6 million; General Mills from $9.6 million to $20.4 million; Quaker Oats from $7.5 million to $15.2 million; and Pillsbury from $3.2 million to $10.4 million. Industry cries that the price of bread would have to be raised at least two cents were unfounded. The cost of wheat in a loaf of bread has remained about three cents for many years, though the cost of bread has risen between six and eight cents since 1951. They pointed out consumer food costs had risen 26 percent in the last 17 years while farm prices went down 15 percent, thus indicating the nebulous logic of tying consumer costs to farm prices.

They were persuasive. House debate on the bill began August 17. The previous evening, at a meeting with McCormack, Freeman told the Speaker the bill was assured of at least ten more votes than necessary for passage. But McCormack backstepped. The bread tax scared him. Using a borrowed mink collar for illustration, Republican Representative Albert Quie of Minnesota said Democrats were helping the rich by reducing the cost of mink coats with the excise tax repeal, while burdening the poor with a costly bread tax.

McCormack told Freeman that regardless of prior commitments given by urban Democrats, he would not allow his city freshmen to vote for anything that would give Republicans some deadly ammunition for the 1966 campaign. He proposed instead, that the 75-cent increase in wheat certificate payments be taken off the miller and obtained from the general treasury; in effect, a capitulation to the bread industry.

Freeman accepted the McCormack plan. In an urban America he perhaps saw the handwriting on the wall. The success of his department's programs in years to come will depend on support from the cities.

It is not known what the President's reaction will be to the new plan to add $250 million to the $4 billion annual treasury cost of the farm bill. Some say he may veto the measure. But he does not have to make that choice yet. He could insist that the Senate keep the Freeman plan for domestic certificate payments. Such Democrats as Mondale of Minnesota and McGovern of South Dakota went out on a limb against the bread trust and had all but won the argument in the Senate. They are not pleased with the House decision.

The Senate will soon decide whether the payments will ultimately come from the treasury or not.

If the Senators who honestly believe in Freeman's approach stick to their guns against the bread industry and Mr. Johnson sides with them, the House will accept whatever plan a conference committee approves, or so Mr. McCormack has told the Secretary. The millers and bakers, so close to victory, could still lose.

Same South Carolina

Senator Stephen M. Young (D., Ohio) professes shock and amazement after reading certain deliverances of Representative L. Mendel Rivers, of South Carolina, who advocates instant escalation of the war in Vietnam to any extent necessary to impose the will of the United States on all Asia. The Senator is amazed by the willingness to bomb not only Hanoi, but Peking also if that is necessary to bring to heel "godless Communism." The Senator is shocked that the proponent of this course should be the chairman of an important House committee, that of Armed Services. It is enough to shake the Senator's faith in the principle of chairmanship by seniority.

While Senator Young's shock may be justified, his amazement is not; for there is nothing novel here. The production of chevaliers mounted upon galloping nightmares has been a speciality of South Carolina since her earliest days. The archetype of the group is unquestionably Robert Barnwell, forgotten now, but who flourished prodigiously between Nullification and Secession. In the fateful years between 1830 and 1860 he, along with a similar type from Alabama, named Yancey, did more than any other ten men to foment the suicidal frenzy that led the South to Appomattox.

In Southern history John C. Calhoun is the great exemplar of the Closed Mind, but that is because Calhoun had a mind. Yancey and Barnwell were exemplars of the Closed Skull, impermeable to a force less potent than a pneumatic drill, but not necessarily inclosing anything. In 1833 when Calhoun, facing the

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alternatives of compromise or of being hanged by Andrew Jackson, chose to live, he was deserted and denounced by Barnwell, of whom a friendly biographer, Laura A. White, says in her sketch in the *Dictionary of American Biography:* "For him convictions once formed became as logical syllogisms capable of demonstration, so clear that he never thereafter doubted their correctness and so inevitable that they must be translated forthwith into action."

Is it some miasma from the cypress swamps that makes South Carolina consistently fecund of this type? Whatever the reason, it has been her curious fate for nearly two hundred years to place before the country, along with – often coupled with – such apparitions as Pitchfork Ben Tillman and Cole Blease, gentlemen equipped with the manners of Chesterfield but with never a brain-cell working. Normally, they are even less effective than a James Byrnes or a Strom Thurmond, but in moments of severe stress, when the whole country veers toward hysteria, they may be as deadly as Barnwell was.

What Senator Young observes is nothing unprecedented. It is just South Carolina on the rampage again.

Soak the Poor Is the New Trend in Taxation

The poor are paying more taxes; the rich are paying less. The reason is that social security taxes, which everyone pays, have been going up steadily. Personal income tax rates have been going down, but the poor gain little or nothing from the decline because they don't earn enough to pay income taxes.

Take a family of four, with one breadwinner, all of whose income is subject to both personal income and social security taxes and who claim the standard 10 percent deduction under the personal income tax. If the family earned $2,500 in 1955, it paid 2.0 percent of its income in social security and income taxes; today it pays 3.625; next year it will pay 4.2; and in 1973, 5.4 percent. In other words, the family's taxes have nearly doubled since 1955, and will increase 50 percent by 1973. This increase comes entirely from higher social security taxes, since the family made and makes too little to pay personal income taxes.

If the family had made $20,000, it would have paid 19.5 percent in 1955 and pays 16.6 today. Subsequent increases in the social security tax will raise its taxes in 1973 to 17.6 percent, still below the 1955 rates and also, incidentally, below the rate of 19.8 percent in 1963, the last year before the personal income tax cut. The social security tax does not even reach about three quarters of this $20,000 family's income, since it falls on only the first $4,800 of income in 1965.

To a middle-income family, the 1964 tax cut brought some relief, but scheduled increases in the social security tax will soon erase all of the gain. A family with an income of $7,000, for example, saw its tax rate rise from 12.5 percent in 1955 to 13.6 in 1963 and then fall to 11.1 this year. But next year the rate will be back to 12.6 percent; in 1969 it will be 13.2; and in 1973 it will be 13.7.

There is another way of looking at what is happening. In 1955, the combined rates on the family of four ran from 2.0 percent on income of $2,500 to 14.7 percent on incomes of $10,000. In 1963 the range was from 3.625 to 15.5 percent. Today it is from 3.625 to 12.9 percent. Next year rates will run from 4.2 to 13.9 percent, and in 1973 from 5.4 to 14.7 percent.

How can this trend be reversed?

Tax rates cannot be rolled back to former levels without precipitating the recession which the 1964 tax cut was designed to forestall. Cutting personal income-tax rates more will only aggravate the problem by reducing rates for middle and upper-income groups without bringing any help to the poor. Subsequent expansion of social security, if financed by still higher pay-roll taxes, will also make things worse. The Heller plan, to remit several billion federal dollars to the states annually, would help, as would the use of general revenues to support social security. Both would find uses for federal revenues that would otherwise have to be returned to the public in lower taxes to avoid excessive tax drag on the economy. But the Heller plan would not prevent the steady rise in social security taxes. And tax rates on the poor would still be higher than they were in the past, unless all subsequent increases in social security taxes were suspended and general revenues were used to lower rates on the poor.

There are four ways to restore the progressivity of direct taxes on personal income. Personal exemptions under the social security tax, like the $600 personal exemptions under the income tax, would introduce an element of progressivity. Or the social security tax itself could be levied at progressive rates. Or general revenues could be used to finance social security instead of earmarked taxes on wages. Each of these changes would kill the "contributory principle of social insurance," the canon that social security benefits should be related to earnings, which in turn govern social security taxes. In practice this principle has been flouted for years and the relationship between benefits received and taxes paid under social security is extremely tenuous.

Alternatively, a graduated subsidy, sometimes called a negative income tax, could be paid to taxpayers who earn less than a specified amount. This technique also

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could offset the increasing burden of social security taxes on the poor. It would also attack the contributory principle, although surreptitiously, since the offset to increased social security taxes would appear in the personal income tax. The result in each case would be explicit recognition that social security and personal income taxes should be grouped in measuring the direct tax burden on personal income, and that the decline of progressivity of the two can be offset by making either or both more progressive.

HENRY AARON

Impeach Judge Cox

Attention has been often drawn in these pages to a handful of federal judges in the South –some of them appointed by President Kennedy – who are plainly out of sympathy with national legislative and judicial policy on civil rights, and who have sometimes sunk to the point of actively obstructing that policy. A case has now come to light which shows one of these judges, W. Harold Cox of the US District Court for the Southern District of Mississippi, not merely dragging his feet or otherwise stretching his discretion, but grossly abusing his power and perverting his office by harassing a Negro lawyer after the fashion of a two-bit racist sheriff. The case also incidentally exemplifies the sort of community pressure that is brought in Mississippi against plaintiffs in school desegregation suits, and for this reason, too, deserves notice.

R. Jess Brown is a Negro lawyer in Jackson, Mississippi, and it is a ridiculous understatement to say that he has few fellows. His professional reputation, as the US Court of Appeals for the Fifth Circuit later remarked, is spotless. On April 5, 1963, he was appearing in open court before the late Judge Sidney C. Mize of the US District Court for the Southern District of Mississippi in a suit by a number of Negro plaintiffs to desegregate the schools of Leake County, Mississippi. One of his clients was Ruthie Nell McBeth, and to Brown's surprise, attorneys for the School Board announced in open court that Mrs. McBeth was withdrawing as a plaintiff, and had filed an affidavit saying that she had never authorized suit to be brought in her behalf. She alleged that she had made this affidavit freely and voluntarily, and had not been subjected to "undue influence." And so, Brown offering no opposition, her name was stricken from the list of plaintiffs.

Judge Mize took no further action. The following day, however, Judge Cox – another Judge of the same District Court, but not involved in this litigation – informed Brown, out of the blue, that Mrs. McBeth's affidavit had come to his attention, and that he was about to cite Brown for contempt of court because he had included her among the plaintiffs, presumably without her authorization. Brown said nothing, but rushed back to check his files, and confirmed his recollection that Mrs. McBeth *had* signed a retainer authorizing him to sue in her behalf. Moreover, on closer examination of Mrs. McBeth's affidavit, it appeared that she herself admitted as much. Her affidavit, in other words, was self-contradictory. Nevertheless, and without pressing Brown for any sort of explanation, Judge Cox proceeded to order him to appear at a hearing, although he finally decided to threaten Brown not with contempt of court but with other disciplinary action.

A lengthy hearing followed, beginning with an admission by Mrs. McBeth on the stand that she had signed a retainer authorizing Brown to represent her. Despite this now unequivocal admission, the hearing proceeded to what the Court of Appeals later called a "long and detailed and humiliating interrogation," covering 118 pages, of Brown himself. There was, as the Court of Appeals pointedly said later, absolutely no excuse for this, even assuming that the earlier proceedings were remotely justifiable, which they were not. The only possible object now was the harassment and intimidation of Brown.

In the end, Judge Cox took no disciplinary action. But he did not abandon his intention to teach Brown a lesson, to show him how unprofitable it is to bring such suits in the US District Court for the Southern District of Mississippi. He assessed against Brown the costs of the proceeding; he insisted that Brown pay the expenses to which Judge Cox had inexcusably put the United States in order to harass Brown – and there is something sublime in the injustice of this, coming as it did on top of the expenses Brown himself had incurred in his own defense. Brown had to post a $500 cash bond while he appealed from this order, and finally, nearly two years later, on June 3, 1965, the US Court of Appeals for the Fifth Circuit reversed Judge Cox's order and erased the injustice.

But the Court of Appeals could not erase the inconvenience and the indignity that had been inflicted on Brown. Nor can anyone else. However, Judge Cox in this instance so stretched any conceivable legitimate authority residing in him, that the Judiciary Committee of the House of Representatives might be well advised to consider whether there is not a basis for bringing articles of impeachment against him.

ALEXANDER M. BICKEL

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WATER

Playing Into the Hands of Large Landholders

In June the House of Representatives appropriated $10 million to begin construction of a water distribution system for the Westlands Water District in west-central California. It will bring water from the soon-to-be-completed San Luis Dam to an estimated 350,000 farm acres in the San Joaquin Valley at an authorized cost of over $157 million. To irrigate their crops, growers must now pump water from deep wells which are fast becoming depleted. The costs of pumping from still greater depths would become prohibitive.

But the trouble with bringing water to Westlands is that about 70 percent of the land is ineligible under Reclamation law to receive federal water. The Reclamation program was begun in 1902 to foster the family-size farm. The law stipulates that an owner can receive only enough project water to irrigate 160 acres (320 in the case of a married couple). Water cannot legally be delivered to lands larger than this until the owner agrees to sell his excess acreage within 10 years at a price not affected by the newly available water. The law does not imply that the ownership of vast amounts of land is intrinsically evil, but rather that the fruits of federal spending should be made available to the largest possible number of people. The 160-acre provision may be unrealistic in the high plains of Colorado and in other farming areas where the growing season is short or the soil poor, because under such conditions no one could eke out a living from a mere 160 acres. (And Congress has usually specifically exempted such areas from the limitation.) But in the Central Valley of California, where the soil is rich, the family-size farm is still workable.

Nearly 250,000 of the 350,000 irrigable acres in Westlands are "excess" acres. The largest single owner, The Southern Pacific, has more than 61,000 acres in the Westlands District, wants federal water, but apparently has no intention of signing a recordable contract to sell its excess acreage. (The company owns another 59,000 acres in the adjoining Westplains area, which may eventually become a part of the distribution system.) Other large landowners in the area have given the Interior Department vague verbal promises that when the times comes they will sign contracts, but the Department has not so much as a written statement of intentions from any of them. Since excess land law does not require such contracts to be executed until the water is ready to be delivered, officials are in no hurry to press the matter with California landowners.

Reclamation law has a history of poor enforcement. (The Interior Department is just now getting around to enforcing the disposition of excess lands in the Imperial Valley project in Southern California—more than 35 years after that project was authorized.) And the landowners may well be hoping that they can get the publicly subsidized water and hold on to their excess land too. By waiting until the project is completed to require the signing of contracts, the Department would lose a great deal of the leverage it now has to enforce the law.

The Department contends that the signing of contracts is inevitable. One Interior official characterizes the landowners' two alternatives this way: They could sign recordable contracts, get water, and arrange to sell their excess lands; or, they could "thumb their noses at the government and sit on principle," refusing the water and the contracts. The latter alternative, according to the official, is hardly likely to be taken up since without water the land is in danger of returning to sagebrush, and all the landowners in the District will be assessed a heavy tax based on the size of their land whether or not they elect to receive water. "But," one official adds, "I don't think they would sign now." They want to wait until the project is finished so that they will have up to 10 full years of project water before they divest themselves of their property. It seems strange that the Department would want to commit $157 million to the construction of a distribution system for an area in which only 30 percent of the land is eligible, without concrete assurance that the outstanding 70 percent will be brought into the service area.

The Westlands Water District is a legal entity which has obliged itself to repay without interest the government's investments in the project. (By the time the money is paid back in 40 years, the saved interest will constitute a federal subsidy roughly equal to the original investment.) The Southern Pacific is represented on the District's board of directors. It is improbable that the company and the other corporate owners which dominate the board would have taken much interest in the project in the first place had they not thought it likely that they would somehow be able to slip out of the requirement to sell their excess land.

Because of the geography at Westlands, some of the surface water supplied by the distribution system will

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percolate into the ground, tending to raise the water table. The Department first insisted that this inadvertent delivery of ground water would be "unavoidable" and that owners choosing to pump this water but declining to accept surface delivery should not be required to sign recordable contracts. Filling the underground reserves, of course, would have been playing right into the hands of the large landowners. They would have got their water and been able to keep their land too. Finally, under pressure, the Department negotiated a new working agreement with the reluctant Westlands District in which it was decided that pumps would be installed to withdraw an amount of ground water equal to that seeping into the underground reserves, so that owners who refuse to sign recordable contracts will not be able to get at it. This is better than nothing but an essentially ludicrous necessity in view of the fact that the pumps would not be needed at all if the Department only insisted on the execution of the contracts (contracts which included ground water delivery under the 160-acre provision) in advance of construction of the distribution system.

It is unfortunate, therefore, that the Senate last week in approving the $10 million appropriation for Westlands did not require that contracts be signed before the first shovelful of dirt is lifted in the Westlands.

DAVID SANFORD

Harold Wilson's New Tory Challenger

London

Even before the Socialists were returned to power, Harold Wilson presented himself as a Twentieth Century man. In Wilson's vision the Promisied Land rises in flashing chromium and huge dynamos hum and toil from morning to night. It is a place of voyages to the moon, of mysterious machines, of armies of scientists in white coats.

Hugh Gaitskell spent fruitless months in trying to kill Clause 4, the commandment in the Socialist constitution that was handed down by the pioneers and demands that everything shall be nationalized. Harold Wilson has been far too astute openly to attack the most cherished feelings of the Movement. He has been much smarter: he has quietly dumped the Ark of the Covenant on to the nearest scrap heap. If he succeeds, the Labour Party will be very different from what it was. The earnest intellectuals brought up on curds and whey, the trade unionists whose proud paunches are stained brown on the inside with endless cups of strong tea will be there, but they will count for less.

Mr. Wilson's task, however, has become very much harder, for the Tories have found themselves a leader who is almost his twin. Ted Heath is young, spry and ferociously ambitious. Like Wilson he has come up the hard way. He was born with no silver spoon in his mouth. Unlike Sir Alec Douglas-Home, who almost boasted that he was an amateur, Heath is a professional. He is also middle class to his fingertips and is thus the perfect representative of the young scientist, the impatient executive, the restless man who has repudiated the past, who wants to try new methods and expects to be rewarded accordingly. Many of these people turned to Labour or the Liberals at the last election because they felt they had no place in a Tory Party rooted in the past and which seemed to serve a small and effete inner circle of wealth and privilege.

Up to now no laborer in the Tory vineyard could hope to get to the top unless he wore an old Etonian tie, that badge of respectability and class. Today the familiar insignia is recognized as a handicap. In fact one or two famous figures were automatically eliminated in the contest for the leadership precisely because they had been to Eton.

But the new situation does not only mean a sharper clash of wills and personalities. It also means the clearer confrontation of two philosophies. Broadly, Harold Wilson believes in rigorous planning: the state steps in, drafting industry to various parts of the country, buying up firms where necessary, imposing a pattern from above. Ted Heath does not quite go so far as to oppose all planning. What he does say is that a government should try to create conditions whereby the individual is given freedom to develop his talents and then be allowed to reap the rewards.

The victory of the Labour Party at the last election, if victory it can be called, was not a vote for socialism. The British people were not particularly concerned with the old age pensioners or with the social services or with housing. What counted was Harold Wilson's brisk attacks on the fits and starts of the economy, the two years of prosperity, the succeeding year of the hair shirt, the easy run down the hill, then the desperate climb up again – *ad infinitum*. Sir Alec, who once confessed that he had to take a box of matches and count up what twice two make, hardly seemed the man to solve the problem. Ted Heath claims he can.

Mr. Wilson has been saying that there will not be an election for another two years, yet he has not a large enough majority to decide these things. If two nasty black germs carried off a couple of his many ageing followers in the Commons, he would no longer have a choice. He would be forced to go to the country.

Nor is that and the emergence of Ted Heath his only danger. So far, Wilson has controlled his unruly and incalculable Party with extraordinary skill. Being an ex-rebel himself he knows how to make the right noises

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at the right time. But the honeymoon is over and the left wing in the Labour Party are beginning to stir. They not only dislike Wilson's support of American policy in Vietnam. They also disapprove of his economic program. A Labour Government, they think, should not introduce a high bank rate, a lid on wages and a cruel drive towards deflation. All this, they feel, is best left to the Tories.

Harold Wilson has had a respite during this summer holiday, but all his cares and worries return in the autumn. His strategy must be to hang on as long as possible in the hope that a grateful country will come to realize that the whips and scorpions he is assailing it with are signs of courage and true leadership. Mr. Heath's policy must be to smash the government while it is passing through its grayer hours. That is precisely what Tory strategy will be.

HUGH MASSINGHAM

THE WAR IS POPULARIZING ANTI-AMERICANISM

The Japanese and Vietnam

Tokyo

Japanese reactions to the war in Vietnam are much influenced by the press – more than by TV, whose programs heavily depend on financial sponsorship by conservative business firms. With few exceptions, our newspapers have been critical of the US – based on a belief that the United States has been waging a war not against external aggression but against indigenous internal revolution. The two largest national papers, the *Asahi* and the *Mainichi* which have circulations of approximately five million and four million respectively, have been attacked by Undersecretary of State George Ball, and Assistant Secretary of State Douglas MacArthur II testified before the Senate Foreign Relations Committee on April 28, that both newspapers were "infiltrated." It was a ridiculous accusation and produced an apology from the US ambassador.

Japanese intellectuals have become particularly articulate since the American air attacks on North Vietnam and the use of non-lethal poisonous gases. Perhaps the most telling protest was issued on April 20 by 93 persons from the Tokyo area. It urged the Japanese government (1) to state that if the war should escalate and involve additional countries (China, the Soviet Union and two Koreas), American bases in Japan would not be used for combat operations on the ground, and to state that US military actions in Vietnam do not conform to the US-Japan security treaty and the Charter of the United Nations; (2) to appeal to the US government for an immediate suspension of air attacks on North Vietnam; and (3) to request the US and other countries concerned to open negotiations at once, to which the National Liberation Front should be a party, and to effect an immediate cease-fire. Many of the signatories hold influential positions in academic and literary circles and as advisers to the government. They are predominantly liberals and include many who are fundamentally pro-American. Both the *Asahi* and the *Manichi* took the extraordinary step of carrying the full text of their appeal.

In support of this appeal, a massive demonstration was organized on June 9, with the participation of the Socialist Party, the General Council of Labor Unions (predominantly Socialist), the Communist Party, independent unions, the students' *Zengakuren* and other citizens' organizations. Approximately 60,000 took part in Tokyo. It was the largest rally since the enormous demonstration against the Japan-US security pact in 1960, that caused the cancellation of President Eisenhower's visit to Japan. Mass organizations heretofore split among themselves were reunited.

Popular "anti-Americanism" is emerging for the first time in the postwar period. Some writers of letters to editors have confessed that the bombing of North Vietnam reminded them of the atomic attacks on Hiroshima and Nagasaki. The memory of Hiroshima and Nagasaki has always been a source of Japanese resistance to nuclear tests and nuclear war, but has not until recently been a source of anti-Americanism. America's moral prestige seems to have reached the lowest point in postwar US-Japanese relations; an image of goodwill and civility is being replaced by one of prejudice and violence.

Toward the middle of March the *Mainichi* press conducted a poll in Tokyo. In reply to the question, "What do you think is the first step in terminating war in Vietnam?," 46 percent demanded the opening of international negotiations; 40 percent the withdrawal of

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US troops; 4 percent cease-fire by the Viet Cong – and none for increasing the bombing of North Vietnam. In a nationwide survey in November, 1964, conducted by one of the research agencies, in response to the question, "Which would you like Japan to join: the free world, the Communist camp, or non-aligned nations?", 47.9 percent chose the "free world"; in May, 1965, that was the choice of 42.2 percent, and the number of those who preferred "non-alignment" increased from 21.4 percent to 33.7 percent. Those who included the United States in response to the question, "Give the names of a few countries you like best," dropped from 50.6 percent to 40.7 percent in the same period. According to another national poll taken immediately prior to the election of the Upper House early this July, concern with Vietnamese and criticism of US policy were particularly pronounced in the urban areas, among the younger generation and among the better educated. It is generally agreed that the Communists' success in increasing their vote from 3.1 percent in 1962 to 4.5 percent this time is in part due to their energetic attack during the campaign on US policy toward Vietnam.

The Japanese government succeeded in getting from Henry Cabot Lodge on his visit here an agreement that the US would not use its bases in Japan for combat operations in Vietnam. During the election campaign in July, Prime Minister Sato repeatedly stressed that Japan would not be involved in the war. When the Guam-based B-52 bombers, allegedly for the purpose of taking shelter from a "typhoon," were transferred recently to Okinawa and flew from there directly to Vietnam for air raids, the Japanese reacted with deep anxiety and anger, and the Japanese government made no secret of its embarrassment and displeasure.

Mr. Shunichi Matsumoto, former ambassador to Britain and recently a special envoy to Southeast Asia, has told the government that air attacks on North Vietnam would not help bring about peace in Vietnam, because the Viet Cong is fundamentally an indigenous nationalist movement. Even such a well-known pro-American statesman as former premier Shigeru Yoshida – an Adenauer of Japan – has said candidly that Americans, considering themselves a superior race, failed to understand the Orient and that this applied to Vietnam. Mr. Yoshida's comments were a shock to American officials who are familiar with the Japanese political scene and his unfailing influence.

It seems to me that the United States has been pursuing self-defeating diplomacy. By supporting a series of power seekers in Saigon on the assumption that the Viet Cong are all Communist, the United States has been strengthening the position of the Communists among the forces composing the National Liberation Front. By treating the Viet Cong as an agent of North Vietnam and North Vietnam as a satellite of China, American strategy of northward escalation has in effect forced the NLF more and more to depend on North Vietnam and North Vietnam on China.

Yoshikazu Sakamoto

Policing the Police

Nine Men Are Not Enough

by Herbert L. Packer

The crime rate continues to soar. In 1964 there were 13 percent more serious crimes reported than in 1963. Since 1958 the number of criminal offenses has risen, according to the FBI, six times as fast as the population. Urban minorities are in ferment. The great issues of civil rights and poverty make the preventive or "law and order" part of the policeman's job ever more intractable. The Los Angeles riots are the worst so far, but who thinks they are the last? As police administrators gird themselves for these struggles, they have a sense that the courts are depriving them of familiar and long-used weapons.

Current controversy centers on police interrogation. But arrests "on suspicion," dragnet arrests, and the use in court of evidence obtained by illegal search all are

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practices as to which the Supreme Court has been developing what the police perceive as undesirable restrictions. And the police are not alone. Middle-class city dwellers, appalled by the Hobbesian jungle around them, are beginning to wonder if the pendulum has not swung too far. They ask whether police can operate under rules that the courts are laying down for their governance. The question, as I shall try to show, is the wrong question. But one cannot understand why it is the wrong question without calling to mind a little history.

Moving to Fill a Vacuum

Nobody, including the courts, paid much attention to police conduct in this country until the Prohibition era. The police went their own way without outside scrutiny, and their own way was pretty deplorable, including as it did habitual resort to smash-and-grab tactics of illegal searches, destruction of allegedly contraband property, and third-degree coercion of confessions. Prohibition brought with it a crisis of public confidence in law enforcement. Public attention was drawn to the excesses of lawless police behavior, notably through the revelations of the Wickersham Commission, whose 14 volumes remain (much to our discredit) over 30 years later as good a source of information on law enforcement practices as we have.

Increased public concern brought little in the way of increased public control. During the years of depression, world war and technological revolution our governments (from the national down through the states to the local level) had other fish to fry. The police became more professionalized, but the change in their standards of conduct was more responsive to the internally generated demands of efficiency than to externally imposed pressures for minimizing restraints on human freedom or for observing basic decencies in their treatment of apprehended suspects. It fell to the courts to move into this vacuum in public control, in particular to the Supreme Court of the United States in its expanding role as guarantor of the rights of "due process" and of "equal protection of the laws" against state governmental action.

The role has not been a comfortable one, either for the Court or for the police. The Supreme Court is not in the business of running police departments. It has no direct disciplinary powers over the police (or anyone else, for that matter). Its sole occasion for dealing with police conduct comes when it reviews state criminal convictions in which questions have been raised about the admissibility under Fourteenth Amendment standards of evidence obtained by the police in asserted violation of those standards. It cannot discipline the offending police officer; it cannot direct his superiors to discontinue the illegal search or the third degree interrogation; it can only set aside the conviction so obtained and hope that both its action and the expression of its disapproval will have some exemplary effect on the police. The same is true of all the other courts in the judicial hierarchy, state and federal.

This much is generally recognized. But the problem cuts deeper. The court deals with the unique facts of a case at hand. It has no fact-finding facilities, except for its members' uncertain reliance on "what everybody knows." It cannot independently inform itself about the dimensions of the general law enforcement problem, or identify and choose among the range of particularized solutions that may be available. It cannot frame a program, much less carry one out. The Court moves with greatest assurance when it looks at a particular case and concludes that there has been a particular injustice which it should right. It moves with unease when it tries to frame a general standard for police conduct. It is one thing to say: This defendant's confession was illegally coerced because he was illiterate, unadvised of his rights, held incommunicado, subjected to threats, beaten, or whatever. It is quite another to say: No person who is arrested may be questioned by the police until he has been advised of his right to remain silent and to have the assistance of a lawyer and until he has had the chance to see a lawyer if he wants to. And yet it is this second kind of statement (although not, as yet, this particular one) to which the Court has been resorting with increasing frequency in the last few years.

It is not hard to see why. There has been a law-making vacuum into which the Court has, willy-nilly, had to rush. We have no detailed codes of police practices. Our law-making bodies, federal, state and local, have so far defaulted on that job. The Court has sought to influence police behavior by dealing, in its traditional way, with specific cases. But the gap has been too great to bridge in its traditional way. And so the movement has been to ever-increasing generality of statement: from *this* confession was coerced for the following reasons unique to this case, to *all* confessions are bad when they are obtained from an arrestee who has not been promptly brought before a magistrate, as in the famous *Mallory* rule announced for the federal criminal courts in 1957. One consequence has been pressure, so far unsuccessful, for legislative intervention. Once again this year, bills have been introduced in Congress to overrule the *Mallory* decision. And still, the law on the books and the law in the police station remain very different laws indeed.

The great criminal procedure decisions of the last few years can all be regarded as exemplifying this movement toward increasingly generalized statement, sparked by the continued indifference of law enforcers

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to the Court's more traditional activity. *Mapp* v. *Ohio* (1961), in extending to the states the federal rule that evidence obtained through unreasonable searches and seizures must be excluded from criminal trials, was explicitly based on the proposition that no other presently available means of control held out any hope for deterring police disregard for the dictates of the Fourth Amendment. *Gideon* v. *Wainwright* (1963) substituted a blanket rule on right to counsel for the previous policy of examining on a case-by-case basis the prejudice to the individual defendant worked by failure to provide him with a lawyer. And last year's *Escobedo* decision – the current focus of police dissatisfaction – may have marked the beginning of the end of particularism in the scrutiny of confessions: It lays down the general proposition that an accused in custody who has a lawyer and asks to see him may not be questioned until that request has been complied with.

Moves of this sort by the Supreme Court are moves of desperation. Nobody else is policing the police, so the Justices think that they must. But they can only do so vis-à-vis the states in the discharge of their duty to construe the Constitution in cases that come before them. And so, the rules of the criminal process, which ought to be the subject of flexible inquiry and adjustment by law-making bodies having the institutional capacity to deal with them, are evolved through an awkward and inept process: The rules become "constitutionalized."

If one takes an Olympian view of the relation among law-making institutions, it is clear that the Court is moving outside the area in which it functions most appropriately. Yet it is naive or disingenuous to expect the Court to hold its hand when its hand is the only one raised or raisable. Which brings us back to the initial question, the frequently voiced question, the wrong question: Can the police operate under the rules that the courts are laying down for their governance? A better question would be: To whom can we look for the establishment of rules and sanctions to regulate the conduct of the police in a free society? If we can look nowhere else but to the courts it is silly to ask whether the courts are doing an optimal job. One might as well ask whether surgery is optimally undertaken with a carving knife without revealing that on the particular occasion the surgeon has no other instruments at his disposal. The question, in short, is loaded; and the answer, be it yes or no, is misleading.

What About the Lawmakers?

The fact is that we do have other resources to call upon for the important job of law-making involved in the control of police conduct. The legislature has always been an available forum. But it is the weakness as well as the strength of the legislative institution that it never *has* to act. Courts do; they have an obligation to decide the case at hand. But the legislature, by which I mean generically the United States Congress and the legislatures of the several states, can bring its unparalleled resources for resolving social conflicts to bear or not, as it sees fit. And the same is true of the Executive Branch, which has an option, so far largely unexercised, to play a creative role in the supervision of the police through improved personnel policies, training programs, research activities and, above all, through a steadily manifested concern.

There are some signs that at last the legislature and the executive are beginning to focus on the problems of the criminal process and on the role of the police in that process. On the federal level, the Criminal Justice Act of 1964, the pending Law Enforcement Assistance Act and the establishment of the Office of Criminal Justice are all straws in the wind. The American Law Institute, that influential private law-giver, is working on a Model Code for Pre-Arraignment Procedure, designed to bring order to the most chaotic aspect of the criminal process, the period from investigation and arrest until the suspect becomes the accused; in a word, the police period. Already the sounds of battle are being heard as the same tired old lines are drawn between the single-minded advocates of crime control and advocates of individual freedom.

The controversy rages most hotly about police interrogation and its relation to the right to be assisted by a lawyer. The ALI group has produced a preliminary draft which tentatively proposes, among other things, that all persons taken into custody should be advised of their right to remain silent and to have the advice of a lawyer for those arrestees who do not already have one. Under this proposal, an arrestee who has access to a lawyer would be permitted to summon the lawyer and consult with him; in such cases the likely result would be that the lawyer would advise his client to remain silent and that this advice would be followed, thus aborting any further police interrogation. An arrestee who does not have access to a lawyer would not be entitled to have a lawyer appointed for him; his resistance to interrogation would depend largely on his own intelligence and independence and would probably be far lower than that of the arrestee who has had an opportunity to get a lawyer's advice. The line thus drawn is a line between the "rich" or (less dramatically but with somewhat greater statistical accuracy) the "middle-class" arrestee and the "poor." The great majority of arrested persons fall into the latter category.

This tentative proposal has been the subject of a sharp exchange between Judge David Bazelon of the United States Court of Appeals for the District of Columbia Circuit and Attorney-General Nicholas Katzen-

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bach, which in turn sparked further comments, largely hostile to the position taken by the ALI draftsmen, by a number of eminent academic lawyers. These subterranean rumblings recently burst into a public explosion when the Washington *Star* published extracts from the correspondence. Judge Bazelon attacked the proposal as a denial of equality with resulting discrimination against the poor. Mr. Katzenbach retorted that the object of administering criminal justice is not to erase inequality but to reduce crime. Each is voicing a partial truth, out of which the current dilemma is compounded.

What Are the Facts?

How do we resolve the dilemma? Assuredly, police interrogation of persons held in custody is useful in the detection of crime. Equally assuredly, it often results in abuses that our system cannot tolerate and that are extraordinarily difficult to control. I have suggested why it is that the courts have had no alternative to intervening as they have done, and why it is that their intervention does not represent an apt form of control. What is it that we should expect of the legislative and executive branches of government (leaving aside the obvious point of more money for law enforcement), who can deal with these portentous problems without being forced to return a yes or no answer to a concrete case pressing for decision?

For one thing, we can try to get some facts. It would be nice, for example, in considering what rules should be laid down for the conduct of police interrogation, to have some data on the importance of confessions in the criminal process. With an air of apodictic assurance, *Time* (July 16, 1965) let it be known that "75% to 85% of all convictions for serious crimes are based on presumably voluntary confessions." Now, a statement of that kind may be based on one of two kinds of data. Official criminal statistics, derived from records routinely kept by police and prosecutorial officials, might show the incidence of confessions. But they do not show even that, let alone the far more complex fact of the extent to which a conviction is "based on" a confession or on other incriminating statements made during police interrogation. There are, very simply, no police statistics of any kind on confessions. Failing that, a special study might have been designed to elicit this kind of information. I know of none. There is one pilot study of arrest practices in two California cities conducted by one of the leading scholars in the field of criminal justice administration, Dean Edward L. Barrett, Jr., who is one of the Reporters for the current ALI project. His modest but useful preliminary study, which does not deal with this precise issue, nonetheless casts some incidental light on the problem of confessions. The data, involving a grand total of 458 felony arrestees (399 in one city and 59 in another), showed that 58 percent in one city and 88 percent in the other made incriminating statements during interrogation. Of those arrestees who were eventually charged in court with the commission of a specific offense, a grand total of 310 (262 in City A and 48 in City B), 75 percent in City A and 90 percent in City B, made such statements. The samples are too small to be significant, even as to the incidence of confessions, let alone their importance. Dean Barrett was careful to point out a fact that *Time's* writers either overlooked or did not understand: "the data do not show the extent to which confessions or admissions were essential to ultimate conviction of the persons who made them." There is a further question not answered by Dean Barrett's pioneering study or by any other of which I am aware: Is there any variation in the frequency or the enforcement significance of confessions among categories of criminal offense? Are confessions more frequent (or more important to conviction) in embezzlement or in murder? in burglary or in rape? in robbery or in narcotics offenses? We don't know.

These questions stem from an insight into the criminal process that is as crucial as it is neglected. In terms of the interests protected by the criminal law, there is a spectrum of seriousness that ranges from gross invasions of personal security (murder, armed robbery, rape, etc.) at one extreme to nuisance offenses like bootlegging, gambling and prostitution at the other. What is at stake in any rational assessment of police practices is an estimate of the amount of discretionary invasion of personal privacy and human autonomy that can be justified by the demands of crime control. Surely an essential element in that calculus is the magnitude of the threat posed by the particular kind of criminal conduct in question. Mr. Justice Jackson once observed that he would be willing to give the police greater latitude in setting up roadblocks to catch a kidnapper and protect his victim than "to salvage a few bottles of bourbon and catch a bootlegger." He was speaking (with unusual candor) as a judge interpreting the Constitution and was conceding to himself an unorthodox degree of discretion about which he had misgivings. In general he thought, and most would agree, that the constitutional latitude afforded the police "may be resorted to in case of petty misdemeanors as well as in case of the gravest felonies." No such constraint binds the legislature. Within the limits of the constitutionally permissible, it is free to say: We think the police should have more latitude in investigating serious crimes against the person than in tracking down moonshiners and numbers games runners. But in order to say that responsibly, the legislature needs to have more facts about such issues as the actual utility of confessions in different criminal situations than we now have.

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The recent Horsky Report, which illuminated the hitherto-obscure practice of arrests "for investigation" in the District of Columbia, serves as a useful model. Those who, like the American Law Institute, seek to provide guidance to legislatures in devising rules for police conduct, might well devote some of their attention to eliciting the facts upon which an adequate set of rules needs to be based.

Yet another area in which the legislature has an immense but as yet unexercised advantage over the courts as makers of rules for police conduct involves the large issue of sanctions: If the police break the rules, what should the consequences be? As I have already pointed out, the courts have essentially one sanction and one sanction only; they can reverse a criminal conviction based in whole or in part on evidence secured through illegal police activity. The legislature is not similarly constrained. It can ordain and establish a complete administrative structure, including means for exerting a measure of external disciplinary control over the police. It can set up remedies that a court is powerless to give, such as a liquidated damage action against the local government unit which employs the offending policeman, available to the person whose rights have been violated. In today's crisis of confidence, the question of sanctions is *the* central question. The main source of hostility to the police among minority groups is the helpless frustration engendered by the certain knowledge that, whatever the police do, there is no way in which they can be called to account for it.

The Unaccountable Police

The entire controversy arises because it is widely perceived today, especially among minority groups who feel most keenly the lash of unfettered police discretion, that the police are, to put it bluntly, accountable to no one but themselves. Until this is remedied, or at least until possible remedies are developed in detail, it is fruitless to argue about how much latitude the police should have in questioning suspects. No code of police practices that does not provide effective sanctions for police lawlessness can so much as begin the long repair job that will be required to win minority acceptance of even the most necessary police functions. As Senator Robert Kennedy has pointed out, in commenting on the Los Angeles riots, these groups see the law as an enemy. That will not be changed in a hurry. But it will never be changed without the effective civilian control over the police that we now lack. A code of police practices that does not face this issue on its merits and embody adequate measures to ensure that the rules (whatever they are) won't be dead letters is not worth talking about. Yet people are talking in polarized terms about just such a fragmentary code, as witness the ALI proposals and the resulting Bazelon-Katzenbach correspondence, which strike me as both dangerously premature and needlessly exacerbating at this stage

It will be objected that I am taking the long view and that the situation calls for immediate legislative measures, either on the merits or to forestall further *démarches* by the Supreme Court. It is true that to develop the relevant facts about police practices would be an expensive and arduous undertaking. We probably could not do it, even if we started now with an adequate mobilization of governmental and foundation resources, before we put a man on the moon. And it would indeed cost a lot of money, maybe as much as one-hundredth of one percent of the twenty-five billions committed to the moon project. But constructive thought about the sanctions problem would not take that long or cost even that much. All *that* needs is an amount of cerebration on the part of the gifted Reporters for the American Law Institute project roughly equivalent to what they have already (prematurely, in my view) spent on the question of what the governing rules ought to be.

Meanwhile, we can only hope that the Supreme Court will not use its carving knife in default of the legislature's scalpel to declare, for example, in the broad and unqualified terms in which its uncritical detractors and supporters alike mistakenly claim it has already spoken, that every person arrested for any crime must be provided with a lawyer before the police may ask him any questions. That is, in my view, a straw man, although in the realm of constitutional law, as in the land of Oz, scarecrows do have a disconcerting way of suddenly coming to life. More likely, the immediate aftermath of *Escobedo* will be a series of cases in which "special circumstances" will narrowly determine the outcome. The police will complain about the lack of predictability in the Supreme Court's performance. But, until legislative action can be wisely and providently taken, as it cannot today, a little unpredictability may be a healthy thing.

Experience with legislative reform in the criminal field has been that it is difficult to accomplish and, once accomplished, almost impossible to reopen. Any code of police practices that emerges from current activity and that achieves widespread legislative acceptance (either because it is good or because it is better than nothing) will in all likelihood set the pattern of governing law for at least the next half-century. The control of police practices is by far the most poignant single issue that arises in the oscillating maintenance of some kind of balance, or tension, between the demands of freedom and order that constitutes the chief hallmark of the open society. The courts cannot do the job alone; but the legislature cannot do it either without broader and more reflective study than has been made.

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An invitation to those interested professionally, or as private citizens, in American public affairs

The Public Interest

A new magazine edited by Daniel Bell and Irving Kristol

THE PUBLIC INTEREST will concern itself with the problems of American democracy: problems of public policy especially, but also problems of democratic theory as related to the American experience. It is to be published quarterly, and its first issue will appear this fall.

The Need for a New Publication

It is characteristic of American society today that knowledge—both simple information and complex ideas—is specialized, and not easily available to the "well-informed" citizen or even to the professional commentator on current affairs.

Time and again, one discovers that extraordinary efforts are necessary in order to achieve the basis for a relevant and knowledgeable opinion—whether it be about city planning, automation, youth unemployment, the multiversity, the structure of the mass media, current trends in jurisprudence, ethics in government, juvenile delinquency, civil liberties, the labor movement, big business. There is no single magazine one can regularly turn to in the reasonable hope of acquiring facts and enlightenment. Instead, one has to pursue one's investigation through government reports, academic journals (sometimes extremely forbidding ones!), and personal interviews with experts. One often discovers, moreover, that even the specialist in a particular field is lamenting the fact that his problems have not been seriously discussed outside of committee meetings.

Looking Ahead

In addition to discussing current issues, THE PUBLIC INTEREST will pay special attention to "the study of the future." One of our difficulties in dealing with social problems today—why, for example, it is so difficult to rebuild our cities in a way that would enhance beauty and comfort — is that yesteryear's policy-makers failed to look ahead and anticipate changes which were, in principle, readily discernible. Thus, constrained by the guidelines laid down by the past, we now have little room for imaginative alternatives.

THE PUBLIC INTEREST will focus on the challenges which we shall bequeath to our children, so that *we* can plan *now* to anticipate problems of America in the year 2000—which is, after all, only thirty-five years away.

What Will It Be Like?

Because THE PUBLIC INTEREST will deal seriously with issues of public policy, it will avoid—insofar as is humanly possible—all stereotypes, cliches and pat ideologies. It will be non-partisan. The editors do not care whether a contributor writes from a "liberal" or a "conservative" or a "radical" point of view. They ask only that he be enlightening and provocative.

THE PUBLIC INTEREST will give the broadest possible scope to controversy—not for the sake of controversy itself, but because there are instances in which controversy is the proper journalistic and educational form. "The public interest," the editors' prospectus reads, "is not some kind of pre-existing, platonic idea; rather, it emerges out of differences of opinion, reasonably propounded."

Format of THE PUBLIC INTEREST will be simple. The pages will be 6 by 9 inches, without illustrations. There will be soft covers, printed in colors. There will be 128 pages per issue. The two co-editors are: **Daniel Bell**, professor of sociology at Columbia University, and author of *The End of Ideology;* and **Irving Kristol**, founder and co-editor of *Encounter* magazine, former editor of *The Reporter,* and currently vice-president of the New York publishing house, Basic Books.

The Contributors

Among the well-known contributors will be: **Nathan Glazer**, on "Why Are the Poor Still With Us?"; **Robert Solow** and **Robert Heilbroner**, on "Perspectives on Automation"; **Daniel P. Moynihan**, on "The Professionalization of Social Reform"; **Jacques Barzun**, on "A Public Policy for the Arts"; **Jerome S. Bruner**, on "'The Process of Education' Reconsidered"; **Robert Nisbet**, on "The Permanent Professors: Some Subversive Thoughts on Academic Tenure"; **Timothy Raison**, on "The Debate Over the Welfare State in Britain"; **Daniel S. Greenberg**, on "The Political Powerlessness of Science"; **Max Lerner**, on "Adventures in Social Science: A Memoir"; and **Peter Wiles**, on "What's In a Ph.D.?"

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Katherine Anne Porter's Harvest

by Joseph Featherstone

This harvest of nearly perfect short novels and stories has been a long, careful time in the gathering. It contains three collections: *Flowering Judas* (first published in 1930 and expanded in 1935), *Pale Horse, Pale Rider* (1939),

The Collected Stories
Katherine Anne Porter
(Harcourt, Brace & World; $5.95)

and *The Leaning Tower* (1944). Miss Porter has added four uncollected stories, one of which, "Holiday," ranks with her best.

There is not much besides this, for a lifetime's work. There is her novel, *Ship of Fools*, a slight collection of essays, and a biography of Cotton Mather still in progress. *Ship of Fools* is an extraordinary accomplishment, a kind of Pauline epistle for our times, but my guess is that Katherine Anne Porter's claim to greatness can rest on these novels and stories. Few writers in America or anywhere else have matched the purity of her English, her powers of deep poetic concentration, her intelligence, her responsiveness to the inner life of her characters, her sharp sense of the pressing forces of history, nationality, and social atmosphere.

She is a contemporary of Faulkner, and although she has always stood completely alone as a literary figure, her art suggests some reflections on the First World War generation of American writers whose restless search for values and experiments with form introduced Americans to the modern age. She, too, questioned all that she inherited. She threw off the beliefs she was raised with, the quaint, hypocritical notions about the family, the human personality, love, art. This generation was through with all that. It was setting up a new order in the world. Politics and literature were going to be wholly transformed.

For her, disillusionment with the programs of the modern age seems to have started in revolutionary Mexico, the setting for "Flowering Judas." In the dark decades that followed she concluded that newness was not in itself a virtue. (Neither, of course, was age.) A new word, a new fashion in thought, was apt to be a dodge for a writer's poverty of feeling or his inability to reason, and a new political slogan was probably, like the old slogans, a lie.

Only rare souls ever profit from the general historical experience of their times, and what we call the lessons of history are often other names for heartbreak and weariness. Katherine Anne Porter has, however, reached a kind of wisdom that a few Americans do achieve. It is the wisdom of those whose identity is a conscious reconstruction of their instincts, who have come to terms with the past they rebelled against, and who see themselves in the world with lucid impersonality. At their best, Americans like Miss Porter, or George Kennan, combine moral passion with a sense of moral complexity; their irony is profound, and its intention is never simply ironic.

She has lived much of her life outside this country, and few writers can equal her for sheer variety of characters and settings. She does city people, Texas blackland farmers, Mexicans, the American Irish, German-Americans and Germans in Germany; of all classes and generations. She never celebrates a region, although many of her stories might be called local color pieces. She gives the bitter essence of what a people's life is like, as if she were sketching an abstract stage set, and then concentrates on the dramatic revelation of character in the created setting. At the end of "The Cracked Looking Glass," a short novel of the American Irish, the reader learns the sad, specific poetry of a young girl married to an aging husband:

> "Here in the lamplight sat Dennis and the cats, beyond in the darkness and snow lay Winston and New York and Boston, and beyond that were far off places full of life and gayety she'd never seen nor even heard of, and beyond everything like a green field with morning sun on it lay youth and Ireland, as if they were something she had dreamed or made up in a story. . . .
>
> "She sat up and felt his sleeves carefully. 'I want you to wrap up warm this bitter weather, Dennis,' she told him. 'With two pairs of socks and the chest protector, for if anything happened to you, whatever would become of me in this world?'
>
> " 'Let's not think of it,' said Dennis.
>
> " 'Let's not then,' said Rosaleen, 'For I could cry if you crooked a finger at me'."

The local color pieces lack the dense web of associations, the amount of felt living, memory and contemplation that go into the more autobiographical stories. But in their bleak, abstracted way, they are splendid. Mexican stories, like the flawless "Maria Concepcion," have the beautiful and hollow ring of formal tragedy. "Hacienda" is a tale of some Russian film makers in Mexico to shoot a revolutionary epic – in real life the Russian director was Eisenstein – and through their tangled failures we begin to see what the camera captures, "the almost ecstatic death-expectancy which is in the air of Mexico," the peasant figures under a doom imposed by the landscape.

Some of her stories might be called political. Few apart from "Flowering Judas" bear directly on politics, but her historical and social sense is like a fine antenna, and certain pieces shimmer with the ominous presence of history. She has been haunted by the times. Shortly after the fall of France in 1940 she wrote: "For myself, and I was not alone, all the conscious and recollected years of my life have been lived under the heavy threat of world catastrophe, and most of the energies of my mind

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and spirit have been spent in the effort to grasp the meaning of those threats, to trace them to their sources and to understand the logic of this majestic and terrible failure of the life of man in the Western world."

There is a link between manners and politics, between our private, even our unconscious, selves and the world of public events. Politics is ordering people's affairs in certain regular patterns. Here, as elsewhere, there should be a balance between the patterns and the feelings they are supposed to organize and express; a proper tension between the forms of society and the instincts of its men and women. The characters in her two great political stories have let the tension between emotion and form slip and break. Laura, the heroine of "Flowering Judas," describes the resulting confusion: "It is monstrous to confuse love with revolution, night with day, life with death."

> "The gluttonous bulk of Braggioni [the Mexican revolutionary leader] has become a symbol of her many disillusions . . . she is, her comrades tell her, full of romantic error, for what she defines as cynicism in them is merely 'a developed sense of reality'. . . . But she cannot help feeling that she has been betrayed irreparably by the disunion between her way of living and her feeling of what life should be. . . ."

This irreparable betrayal is also evoked in "The Leaning Tower," her superb short novel of Berlin in the early '30's. Through a series of terrifying images of shattered private lives, the story renders the drabness, the sadism, and the violence of Berlin in the inter-war years. The Germans manifest an extreme of the modern sickness; their desires and their actual lives, like skew lines, never intersect. They dream of far-off places, Pisa, Paris, Malaga, sunny, enchanted lands that look impossibly bright from the darkness of their defeated hopes. Here, as in *Ship of Fools*, is the rage, malice, and deception of the modern, the self-pity struggling in a last spasm to become pity, the outraged self-love striving to become love. ("Love me," say the Germans in *Ship of Fools*, "love me in spite of all! Whether or not I love you, whether I am fit to love, whether you are able to love, even if there is no such thing as love, love me!") The young American hero in "The Leaning Tower" senses that somehow the usual boundaries between people, even friends, fail to work; the Germans are too intimate. In their weakness they lean on an artificial ideal of harmony, the murderous illusion of a fellowship of race. They are misfits, cranks, political nitwits, torn between maudlin self-indulgence and grateful submission to the stupid splendors of authority. Violence hovers in the thin winter air: The young American looks at a fresh, swelling wound that will one day be a proud duelling scar and senses that he will never understand such things. Even trivial happenings connect to this undertow of violence. It comes as a shock to the figures in the political stories, but they are filled with suppressed, unfulfilled longings, and violence is really the end point, the final logic, of their crippled relationships. It is the external sign of an inner lack of grace. Even love, which of course everyone pursues, is often a subtle, veiled aspect of violence, its ritual counterpart. In the end of "The Leaning Tower," the American feels "an infernal desolation of the spirit, the chill and the knowledge of death in him."

What elusive, living spirit the modern age crushes, what natural rightness it destroys, is not altogether clear. Here and there are a few clean images and happy scenes, bright coins thrown into the threatening sea. They occur most often in the large number of stories dealing with Miss Porter's native Texas. Her Texas was the South, for it was peopled by Southerners from Virginia, Tennessee, the Carolinas, and Kentucky; and the values by which she judges the world derive from her family experiences in what she has called the Old Order. It must be understood, however, that the derivation is exceedingly subtle. (As well as selective: There are, for example, few traces in her art of her Catholic upbringing.) She has too much critical moral intelligence to become a genteel celebrant of the Southern heritage. There is even less of that in her than in Faulkner. She is, after all, a Southerner in exile. Still, the Texas stories – or rather the family experiences they are distilled from – seem to be the ultimate source of her sense of things in their right proportions.

Just how subtle the derivation is may be seen in an autobiographical short novel, "Old Mortality," set in Texas in three spans of time between 1885 and 1912. There are many characters, each so vividly drawn that the story achieves the dense effect of a much longer work. The narrative is anecdotal, lingering over odd details and bits of family history in a deceptively casual way. The theme is every child's problem, making the stories grownups tell match reality as it begins to unfold. In this case the story is the rich tapestry of romance the family has woven around the figure of an Aunt Amy. As young Miranda's parents tell it, Amy's life touched their youth with poetry, "the nobility of human feeling, the divinity of man's vision of the unseen, the importance of life and death, the depths of the human heart, the romantic value of tragedy." Miranda and her sister examine the old, sepia-tinted photographs of Amy trying to recon-

A *Just* Man

As he walks through the segregated housing development
Where he lives, he supposes that the maintenance men
Are ready to give way on the narrow walks some architect
Drew in. With the corner of his eye he judges
How he will tactfully need unsuddenly to cut
Across the grass (saying, "Hi") to be unjust neither
By moving a man off the concrete like a Southern colonel
Nor by grandly allowing ironic precedence to an underling
As a real colonel, in relaxed possession of unjust power,
Waves an occasional enlisted man through a door.

Ralph Robin

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struct the legendary age of their parents' youth, the days of dark beauties pale as death, high-sounding words, eternal loves, and duels in the moonlight; for the children are held, as each new generation is, by the love of the living for what the faded relics and ribbons represent.

Growing up, alas, is a series of disillusionments. And in the final portion of the novel, Miranda returns home, a married woman now, to a funeral. On the train she meets old Cousin Eva, a spinster suffragette with a weak chin. Eva is the muckraking voice of the modern era, and she has a very different interpretation of the legends of magnolias and moonshine surrounding Amy and her circle. To Eva, the disenchanted modern, the legend is best debunked in terms of money and biology:

> "'It was just sex,' [Eva] said in despair, 'their minds dwelt on nothing else. They didn't call it that, it was all smothered under pretty names, but that's all it was, sex . . . so they simply festered inside. . .'."

Miranda is appalled by this modern portrait of corruption under the lace and flowers of the Old Order, but she realizes that Eva's debunking is no more credible than the family romance. Still, the talk with Eva chills her, and she yearns to feel once again the solid and reassuring presence of her father. A curious thing happens when everyone arrives home: Miranda sees that her pious father and skeptical Cousin Eva belong together in some mysterious way. They view the past by radically different lights, but it is their past together, and Miranda is excluded from their fellowship. The older generation has a complicity of experience that Miranda will never share.

Miranda ends by resenting the bitter love of her family, who

> ". . . denied her the right to look at the world with her own eyes, who demanded that she accept their version of life, and yet could not tell her the truth, not in the smallest thing. What is the truth, she asked herself, as intently as if the question had never been asked. . . . At least I can know the truth about what happens to me, she assured herself silently, making a promise to herself in her hopefulness, her ignorance."

The ironic last word closes the story with a snap and changes its whole meaning. Perhaps her truths about her own time will be like those of Cousin Eva and her father, the sort of truths that have meaning only for those who earn them with their lives, truths that to another set of eyes might be lies. Perhaps Miranda's memories will also be legends which another new generation will misunderstand and rebel against. At least what she wins will be her own truth; that will be something, but that will be all.

Thus "Old Mortality" shows some of the complexity of Miss Porter's relation to the Southern past she rebelled against. Much of that past is bogus, and what is worth saving, ironically, has to be re-created by each generation at a fearful cost. Some of the old truths are true; you find out which ones in the course of living a life.

I think her best stories are those of

COMMENTARY*

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the Old South and Texas. In them, she creates, illumines, and places the tight family of the Old Order, with its accumulated weight of traditional living and its foolish conviction that the world would never change. The great theme of these stories is the initiation of young Miranda into a knowledge of the forces of cruelty, sexuality, and death. The symbolism of life and death is handled with power and delicacy – here, for example, in its detailed loveliness, is the description of what happens when the children are hunting and Miranda's brother shoots a rabbit that is with young:

> "Very carefully he slit the thin flesh from the center ribs to the flanks, and a scarlet bag appeared. He slit again and pulled the bag open, and there lay a bundle of tiny rabbits, each wrapped in a thin scarlet veil. The brother pulled these off and there they were, dark grey, their sleek wet down lying in minute even ripples, like a baby's head just washed, their unbelievably small delicate ears folded close, their little blind faces almost featureless."

From the spark of essential spirit that gleams through these stories from time to time, Katherine Anne Porter takes her stand. Morality and art are not the same for her – she is not *that* old-fashioned – but they meet in the question of order. The art that made these masterpieces is not primarily educative, though the stories are wise; it is not primarily enjoyable, though they give much pleasure. The special function of this art is to give shape to our existence: to achieve order and form and statement in a world "heaving with the sickness of millennial change." Even when her stories tremble on the edge of disintegration, even when they reveal the most unpleasant truths about ourselves and our age, they are replicas of life, complete and compelling. She has a triumphant ability to see a life and its surroundings as it is and as it might be: a knowledge of proper proportions. This is the sense of a great comic writer, of course, but the effect of most of these stories is relentlessly ironic, perhaps because proper proportions are so scarce in this world.

We feel, even of the weakest characters, that they are kin. She enables us to look on a figure with wonder and deep attention: When we see the mad Swede in "Noon Wine," we get an inkling of what it must really be like to be crazy, to play the harmonica in a dazed unhappy way over and over again in the noon sun.

And the power of the telling remains. You remember, not just the grace and precision of the sentences, but the actual experience of having listened to the voice of a character's inner imagination. In "Pale Horse, Pale Rider," the First World War and the influenza epidemic blend together in a delirious dance of death, and as you follow Miranda's nightmares, you forget the incomparable style in the comprehension of how it is to be young and alive and in love in a world full of death.

Did you vote for Alf Landon? Then you'll like *Tony*.

The Structure of American Medicine

by Michael Alderman

The life expectancy of the average American has been extended by a third in the past half century. This increase almost equals all that added to the human life span in the previous twenty centuries. Even more striking have been the specific medical advances responsible for this longer life. Uncontrollable community infectious epidemics, terrors of the past, are no longer with us. Congenital heart defects, once uniformly fatal, now routinely respond to surgical intervention.

The Troubled Calling
Crisis in the Medical Establishment
by Selig Greenberg
(Macmillan; $6.95)

It is a paradox that, in spite of the near miraculous achievement, the American medical profession is subject, as never before, to widespread criticism. Yet, in a sense, it is the medical profession itself that is responsible. Growing popular demand for easier access to scarce medical care, coupled with anticipation of ever more dramatic cures, has fostered hope too often unfulfilled.

The inviolable aura which used to surround the profession has given way to a popular irreverence. It is in this spirit that Selig Greenberg, a reporter for *The Providence Journal*, has attempted to examine the present paradoxical state of the medical profession. He contends, with impressive supporting documentation, that medical care is usually distributed through an archaic organizational structure, is frequently inadequate, and sometimes very bad. The quality of medical care too often varies with the capacity of the patient to pay and is altogether too expensive anyway. The small-town, nonteaching community hospital is in a terrible fix, ruled by a troika of hospital administrators, lay trustees and physicians – all with different constituencies and often conflicting goals. There are too few physicians, and many of those available are out of touch with much that is new and important in medicine. All of this is true and fairly proven.

His case is presented in considerable detail, but some of its force is vitiated by the absence of a reference, or by allusion to "the average physician," or, "a noted medical authority." Points well made once are needlessly repeated. There is an annoying tone of condescension that accompanies valid criticism; assurances that "the average physician is sincerely concerned about the welfare of his patients." Mr. Greenberg tends to get in over his head in discussing specifics. The gastroenterologic specialist is admonished on page 53 to shun a too zealous search for the cause of a stomach complaint when simple treatment of the symptoms will usually suffice. The value of that advice seems open to some doubt, however, when, on page 224, a study of patients with stomach cancer is reported to have shown that just such an approach led to dangerous delay in proper diagnosis.

These criticisms do not refute the

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main thrust: Medicine in America today is less than it could be and less than it should be. Still, this book misses the mark. His picture of American medicine adds little to the work of earlier authors (notably, Anne and Hermann Somers, the authors of *Doctors, Patients, and Health Insurance*). More importantly, Mr. Greenberg discusses the American medical scene as it has been almost until the present, and as the AMA would have us believe it still is. The Establishment he perceives is made up of the small-town, solo, fee-for-service physician. Its crisis involves the threat, posed by the changing pattern of medical practice, to their survival as the professional norm. The questions he asks, "Should the individual bear the financial brunt of medical care alone?", "Will multispecialty groups supplant the solo practitioners?", "Do we need more physicians?", are valid enough, but now rather academic. The detailed answers may not yet be available, but the broad general decisions have already been made. Mr. Greenberg's Establishment is moribund. The crisis it faces may finally kill it, but hardly anyone would notice its passing.

A new Establishment is emerging. It is partially reflected in the growth of articulate splinter groups (The Physicians Forum, Medical Committee for Human Rights and Physicians for Social Responsibility) which are challenging the AMA on a host of social and political questions. Of even greater pertinence to the medical community are the growth of modern medical centers with hospital, teaching, and research facilities – often in association with a medical school and university. The full-time physician-scientist-teachers who staff these institutions are the New Establishment. These men and their allies, the bright young specialists, are the power and influence in medicine today.

The factors which led to their emergence can be traced back at least 50 years. It was then that the AMA, through vigorous implementation of the Flexner Report, was able first to obtain status for the full-time, institutionally employed physician as a teacher. His professional stature was then immeasurably enhanced by the development of sophisticated technology within the medical center. Where once the Doctor would carry the tools of his profession with him, today he requires the facilities and know-how available only through the institutional physician at the medical center. The new organization now in control of education and hospital facilities, has been further strengthened by a lucrative partnership with the federal government. Lavish funds designed to further research have subsidized the continuing expansion of the medical center complex. Popular pressure has begun to force it to assume greater responsibility for patient care in the community since it has become the standard of quality in medical practice.

The story of the Presidential Commission on Heart Disease, Cancer, and Stroke clearly reflects the predominant position of this New Establishment. Academicians led the panel. Most of the expert witnesses heard represented medical centers or were in the US Public Health Service. The resignation of the sole representative of the AMA from the panel before the report was written caused hardly a stir. The com-

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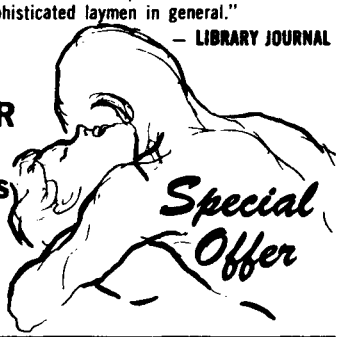

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mission report led to legislative proposals which, if enacted, would set up an extensive system of regional medical complexes under the direction of existing medical centers.

The future is clear. Regardless of whether this particular bill becomes law, economic, social and medical facts of life, ensure the growing importance of the medical center and its full-time staff. But a crisis faces the New Establishment also, and one much more pertinent than that discussed by Mr. Greenberg. The rapid growth of the medical center has upset the traditional relationship between patient care, research, and teaching. If highest quality patient care is to be maintained, it is imperative that the future balance of these three functions of the medical center be adjusted before the present trend toward overemphasis of research is frozen into the system. This is the crisis that demands consideration now.

Toynbee the Sightseer

by Alex Campbell

After he finished writing *A Study of History* in 12 fat volumes, Arnold J. Toynbee decided in his seventies to see some of the places he had been writing about. The results so far are three travel books which confirm what any reader of the *Study* must suspect, that Toynbee is a man of enormous if somewhat pedantic charm. What the travel books also reveal is that the elderly scholar is extraordinarily tough. Of course it is no light task to write an enormously long philosophy of history while doing other work as well (for more than 30 years, Toynbee, and also Mrs. Toynbee, labored at the Royal Institute of International Affairs in London). But one had nevertheless envisaged the author of the famous *Study* as a stoop-shouldered scholar. Not a bit of it. The Toynbee of the travel books obviously has the physique of a first-class pugilist. Long days, even weeks, in jeeps, on mules, on camels and on foot never daunt or tire him. He takes any sort of weather in his stride: red-hot deserts, icy mountains. Gorges and precipices fascinate him, and he will go miles out of his way to hang over a cliff. If the route there and back is hellishly dangerous, so much the better. All the places he most wants to see are so far off the beaten track that their very names are likely to be completely unknown to the average person – Torkham and Taragarh, Qandahar and Qyzyl Qala, Begram, Bamian and Balkh; Dir and Swat, Fezzan and Darfur, Gondar and Aksum.

Between Niger and Nile
by Arnold J. Toynbee
(Oxford; $3.75)

The first travel book, *East to West*, was a journey round the world. The second, *Between Oxus and Jumna*, concerned a visit to Rajasthan, Baluchistan and Afghanistan. Now comes *Between Niger and Nile*, impressions of more modest frolics in Ethiopia, Egypt, Libya, Morocco, Nigeria and the Sudan. These are relatively well-travelled countries: Can it be that Toynbee at 75 is tiring? Perish the thought. Probably he was just resting and getting his second wind.

Be that as it may, the third travel book contains the usual fascinating oddities, historical allusions and ripe comment. Near the gorge of the Blue Nile he found monks who work in the fields from six a.m. to one p.m. chant from one to three, and at 3:30 take their single meal of the day, which is seasoned with a bitter herb to make it unappetizing. A wheatfield at Napata in Ethiopia reminds him of the wheatfields of Assyria beyond the Tigris. "For armies that marched on foot or rode in ox-carts or in horse-drawn chariots, the distance between Assyria and Ethiopia was immense. Yet the soldiers who had been nourished on bread from those two waving green cornlands at opposite ends of the earth took the trouble to meet in the Nile valley to contend for the dominion of the civilized world of the day." (The Assyrians won and marched south to sack Thebes.) In Southern Nigeria he met eminent Nigerians with European wives who were worthy of them, and

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thought such marriages a happy augury for the future of the human race. "There are indications that mankind is beginning to grow together into something like a single family, and, in the Atomic Age, this is our only alternative to self-annihilation." This suggests that as Toynbee travels more and grows older he gets cheerfuler: In the *Study*, he wondered if the sole survivors of the Atomic Age mightn't be Congolese rain-forest pigmies.

FILMS

The Way of Some Flesh

John Schlesinger, the English director of *A Kind of Loving* and *Billy Liar*, in which he showed verity, humanity, and increasing cinematic skill, has now made *Darling*, in which the skill is notably heightened – perhaps at some expense to the other qualities. *Darling*'s first effect is dazzling; its net effect is something less.

Frederic Raphael wrote the screenplay from an idea by himself, Schlesinger,

Darling (Embassy)

and Joseph Janni, the producer. It concerns a modern English girl, a model with a model's vague ambition towards acting, who is intended as a contemporary symbol: morally undernourished, conscious and regretful of this, unable to help it. She is supposed to be telling her life-story to a magazine (always a thin device – there is plenty in the film that could neither be told nor printed). Married early, she then falls in love with a television writer-interviewer who leaves his wife and children for her, as she leaves her husband. After an abortion which affects her more than she expected, she begins an affair with a sleek PR man merely out of momentary boredom with the writer, who spends all his spare time on a novel. (An apt warning to writers not to take up with easily bored girls.) When the writer finds out, he leaves her. She still loves him but is now cast adrift on an ocean of get-and-take. After various adventures, she marries a rich Italian prince with seven children. Oppressed in her *palazzo* and still in love with the writer, she seizes a chance to fly back to London; sees him; is finally rebuffed.

As the heroine, Julie Christie (who was the "free" girl in *Billy Liar*), makes a strong impression. She has an expressive, unusual face and an attractive voice, but she is not yet a controlled or subtle actress. Her chief effects come from her vivid personality in this tailor-made part. As an actress her colorings tend to be primary; she is happy or sad, frightened or frisky, all convincingly enough, but the gradations between are not yet within her grasp and seem not even to be in her imagination at present. Her performance can be compared with Dirk Bogarde's as the writer. His techniques and the sense of his complete being continue to mature with all the consistency that the film world permits. Here he underplays with a delicacy and tact, a beautiful suggestiveness, that create this man's privacies, unspoken. His glances, pauses, shaded inflections are the result of imagination and empathy at the service of sure craft; and the result is a great deal warmer than that cold description may suggest. It is the best piece of underacting I have seen since Denholm Elliott's performance in *Nothing But the Best*, and uses a much wider range than Elliott's part. Laurence Harvey, the PR man, glides through his role like a snake through oil. Nothing that can really be called acting is needed, only a nice easeful assortment of mannerisms, which Harvey supplies competently.

Raphael's dialogue is almost always bright, pungent, brisk. The sequence in which the girl and the writer fall in love is written with understanding and *tendresse*. The Capri sequence with a homosexual photographer, in which the girl plays at living with him like a sister, has the reality of a hopeless asexual dream in a life harassed by biology. And as against *La Dolce Vita*, which comparison *Darling* cannot escape, Raphael's symbol of integrity is credible. The old author whom the writer and the girl visit for a TV interview is an appealing, unselfconscious integer of integrity, unlike the juvenile conception of the intellectual in Fellini's film.

But, as in Raphael's screenplay of *Nothing But the Best*, there are heavy and uncomfortable elements. Alan Bates told us early in the other picture that this is "a filthy stinking world"; here the photographer says that life is "a great big steaming mess." Both instances are more glib than grieving. The other film shifted tonal gears gratingly about halfway through; here there are two grating elements. Towards the end the girl suddenly turns out to be Roman Catholic. But the author has not portrayed her as a Catholic, devout or lapsed. To depict the immoral behavior of a girl reared in Catholicism (especially when we are privy to her thoughts) no differently from that of a girl reared in another religion is a serious fault, and it turns her late Catholicism into a plot device to facilitate her Italian marriage. The last episode, in

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"A SPECTRE *is haunting Cincinnati, the spectre of Phoenix. Comes now to the rescue Cincinnatus himself, Mr. Charles P. ('Slightly') Taft, who, along with Mr. Walter ('Sooth-') Thayer of the* New York Herald Tribune, *and Ambassador Henry Sabotage, have cast off their chains and risen up, in the form of 'Republicans for Progress', to Keep The GOP Just Like It Was. Now abideth Slightly, Sooth and Sabotage, and the least of these is anyone's guess."*

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which the writer takes her to bed on her brief London visit, only to spurn her afterward, is quite incredible. One cannot believe that this man, as he is drawn, could have been so vindictively cruel, indeed could physically have functioned in bed knowing what he planned to say to her. It is the action of a brute or a moral sadist, and since he has been shown to be neither, it seems plot mechanics.

Schlesinger's direction, too, ranges from the succinct to the blatant, from the breathtakingly deft to the clumsy. Much of the film moves with stunning cinematic fluency: the way the girl meets the writer, the swift passage (a walk with a priest under an umbrella) in which her return to religion is noted, a sequence in which she models for the photographer – these are just random samples of the use of film language to tell much with little and to tell it incisively. But there is also a good deal that is like the palm-in-the-face shove of Tony Richardson. As a charity-bazaar speaker in a posh house mentions helping people irrespective of color, we get close-ups of turbaned black boy-servants; as he speaks about the world's famine, we see a stout jeweled lady picking the meat out of dainty sandwiches. As Miss Christie reads (quite badly) John of Gaunt's dying speech about England, we get a mocking close-up of a photograph of Queen Elizabeth. The shock-cut, that desperation tactic, is often used, and twice in its lowest form: the mask. Once we cut to a scary mask which turns out to be a child playing on a lawn; and a party sequence ends with a close-up of a man clapping on a mask, from which we cut away. The last shot pans from a newsstand displaying the "Italian" princess's life-story to a toothless woman singing *Santa Lucia* in Piccadilly Circus. It is ugly enough, but what does it signify? Weren't there toothless street-singers in more decorous epochs? Outside of the small Cartier-Bresson fillip, what use is it as a final comment?

These egregious effects, markedly derivative, are stuck like rhinestones on the film's smooth fabric, and their flashiness helps to define Schlesinger's abilities. He has unusual intelligence, sympathy, knowledge of acting and film technique; he is also a director without a style, who feels he needs to deck his work in borrowed finery. Again a comparison with *La Dolce Vita:* That picture is much hollower than *Darling* and on second viewing is quite tedious, but there is not a frame in it that could have been made by anyone but Fellini. The sequence of the fake miracle, Ekberg in St. Peter's, the final walk through the woods, essentially vacuous as they are, are visually unique and unified in manner – the world as scanned by one man's vision. The contrary is true of Schlesinger. There is hardly a frame in *Darling* that could not have been made by another director: Reisz, Anderson, Richardson, Godard, or others. One can hope for a style to develop in Schlesinger, but one cannot sanguinely expect it. In his three full-length films to date, with all their virtues, there is small indication of a strong personality.

This film underscores an ironic contradiction. In an age concerned with the existence of morality, with what we can do to be saved, the most difficult matter in art is to convincingly delineate immorality; but positive qualities are still artistically graspable. When Schlesinger takes us through the initial love and first bedding of the pair or on the visit to the old author or on a visit to the girl's sister (excellent loving satire), the film rings true. But the scene in the empty board-room when Miss Christie walks on the table, the gambling-hell scenes, the Paris orgy are all strained. They are not glimpses into Sheol, they are just tired movie naughtiness. Decadence remains the hardest quality to depict in art, especially when (as here) it is equated with promiscuity or homosexuality. By now, only what could not be shown in a film might possibly be convincingly decadent, and even then it would not prove that a character was rotten. We know too much of the private lives of many otherwise admirable men and women to believe that some sexual and other practices negate a person's social worth. An age of spiritual starvation, from which this girl knowingly suffers, cannot be dramatized merely by random fornications. After all, there has been plenty of bed-hopping in religiously replete eras.

Because of its adroitness and its sheer entertainment, it is hard to see how *Darling* can be anything other than a

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large success for Schlesinger. One does not wish him otherwise. But his progress as a film artist now seems to depend on whether he is willing to settle for gleaming surfaces like Bryan Forbes (Schlesinger is unlikely to become a Fellini), or whether he will insist on an inner rationale and validity in his work: whether he builds upward from the most stringent perceptions towards a virtuoso display of them or begins at the top with slickness and adds just enough smart dialogue and facile bitter comment to provide marketable *Weltschmerz*.

STANLEY KAUFFMANN

ART

Giacometti and Surrealism

As the century wears on, it becomes ever clearer that one of the most profound and enduring influences on its art has been Surrealism. This truth is easy to miss because, for one thing, Surrealism at the moment seems so completely dead and gone and has for years, and, for another, even when it was going strong Surrealism had all the wrong associations. Dali behaved like a jackanapes and still does. When it was explained to you that Dali was not really a Surrealist at all but only a poseur, you were left with the antics of Breton, the Surrealist Pope, and they hardly seemed less ridiculous. If Dali did indeed bring absurdity to a movement dedicated in part to the absurd, was it any less so to excommunicate him? Is there, for that matter, such a thing as excommunication in art, for whatever cause?

The question arises in connection with another excommunicated Surrealist, Alberto Giacometti, the Swiss sculptor now the subject of a beautiful retrospective exhibition at the Museum of Modern Art. Giacometti got expelled from the Surrealists thirty years ago, after an association lasting five or six years. His distinctive, instantly recognizable sculptured image did not come into existence for another half dozen years or so, but when it did it was thoroughly Surrealist and remained so through the growth and maturity of the succeeding decades. But there were Surrealist characteristics in his work before he ran into the Breton crowd in Paris. The works done while the sculptor was a card-carrying Surrealist are, in a sense, more Surrealist than those before or after; for that very reason, perhaps, they are less artistically interesting, or less enduringly so, than those works that may be said to have been pointing toward his involvement with Surrealism and those that came after.

Such card-carrying items include a kind of machine called "Hand Caught By A Finger," with gears and pulleys and a wooden forearm and hand actually caught in the works; a "Disagreeable Object" of wood in the shape of an enormous phallus with spikes on the end; and, the finest of the lot, the well-known construction, "The Palace at 4 a.m." All of these and others of the brief period of formal affiliation yield their meaning all too readily. If a certain ambiguity is a Surrealist note, then these objects readily yield a handful of meanings. They share the built-in discoveries of academic poetry written by practicing New Critics. "The Palace" after 32 years remains the most fascinating and rewarding of those works. Built on a platform out of sticks and slats and diminutive figures, the piece strongly resembles a stage mock-up and at the same time suggests the drama to be performed, with the simplified female figure to the left, the hung-up spinal column right and the skeleton of a pterodactyl high above. Theatrical it is, but it's good theatre. The theatrical note of Surrealism has not only been a matter of the often extreme exhibitionism of its practitioners; it has also affected the art itself.

From the mid-twenties, by contrast, the "Spoon Woman" and the "Couple," pick up earlier sculptural ideas, specifically those of Cubism and Lipchitz and tribal figures of Africa.

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A slightly earlier "Torso" seems pure form at first sight: three hunks of bronze for the midsection and the thighs. The other wordly aura of Surrealism is apparent when the piece is considered along with the African ones. In all three of these, however, sculptural form, volume, shape are all given more consideration than they are in the "Palace" and other surviving works of that period.

Both these sets of qualities, then, may be seen as background for the developing Giacometti. What emerges, finally, just as the fury of Hitler's war has sent the Swiss back to his mountains, is the elongated, tortured, drawn-out shape and texture we have come to know as Giacometti.

The theatrical remains as a legitimate heritage from Surrealism, but it is theatre raised to a different level. It is, often, theatre in precisely the sense that that term may be applied to the display techniques of the more thoughtful museums of primitive objects. There is, certainly, a primitive quality about the mature Giacometti, beginning around 1942, but it is primitive sculpture, primitive figures, as they are seen in museums, not as they might have existed – or may still exist – in actual primitive societies. From the Renaissance until the early 20th Century there was a sculptural tradition of white, unpainted marble, based on the misapprehension that that was the way the Greeks did it; it wasn't, of course; the Greeks painted their sculpture just like everyone else. Similarly, but not from any misapprehension, the primitive sculptures of Giacometti recall not merely those of our forgotten ancestors, but precisely such ancient works hidden in and worked on by the earth for millennia and then dug up and placed on theatrical view in museums of ethnology. The severe elongation of the figures suggests related distortion in the archaic Greeks, the Babylonians, even, occasionally, the Easter Island heads. But the texture of the bronze is worked on and worked over, dug out and pulled about, as time and earth and rain do to ancient monuments.

But the figures are not merely buried dolls and idols from the distant past dug up and put on view; they are also instinct with life, and in that note they bring in the contemporary blasphemies against the human body that the Germans were piling up in those years. There is anguish in the figures and in the faces. They live even in death.

The paintings of Giacometti come out of the same kind of complexity of spirit. Single figures exist in vast, undefined space. Or else the space is overdefined: The simple lines of a room are drawn over and over until the figure seems to come out of the repetition of lines in somewhat the way of the image on the television screen.

Surrealist doctrine has been consistently debased and burlesqued by its doctrinaires, from the very first to the latest. But something within that doctrine has emerged from the pratfalls and the bladder-whacking to give form and meaning to art and life in our time. Nowhere is this more true than in the art of Giacometti.

FRANK GETLEIN

TELEVISION

Take Back Your Kafka

"Acknowledging his yarn was highly 'controversial,' Silliphant explained plot deals with the kidnapping of the head of the US Joint Chiefs of Staff by a special Viet Cong mission sent to this country for that purpose. While there is a nationwide search for the VC, they put the military man on trial for 'war crimes,' this taking place on Fire Island."

– Daily Variety

Now that's what I call a yarn. The possibilities are endless. Just winging, of course, but how about a houseful of groupers teaching-in on Fire Island? Sprinkle gently with the sin that dares not mention its name. Add a little miscegenation (the *Vee Cee*, baby), get Bobby Darin to belt out *God Save the Queen* on the soundtrack, give the VC leader a taste for Brahms, and you have what passes for TV "controversy" these days. All from the television writer – Stirling Silliphant – who once described his work in *Time* as "closer to Sartre and Kafka than anything else," adding later that he was reluctant to undertake a script "unless there was a profound meaning."

"Profundity," "commitment" – if there is anything television doesn't need, it's more of this kind of pseudo-seriousness. Because what television writers mean by involvement is leaking liberalism of the most objectionable, secondhand sort all over the tube. There is a numbing earnestness in this ritual, a pattern of standard clichés peopled by standard gurus. Blacklisting, wiretapping, civil disobedience – the model scarcely varies. First make society the villain, and if society can be represented as a public relations man, so much the better. (There is an essay somewhere on the role of the PR man in the demonology of midcult.) Then stack the deck. If the subject is the evils of the fraternity system, have the victim of a hazing accident be a Negro – and, of course, let the father of one of the hazers be an international public relations counsel, as well as an unrepentant Sigma Chi. (This one was on *The Defenders*.) If legalized abortion is the issue, let the abortionist be a respected surgeon who takes no money for his endeavors, but who practices because his only daughter died under a quack's knitting needle; let him also ask his lawyer, at a climactic moment, to put a bouquet of roses on her grave. (Again, *The Defenders*.) Finally, wrap it up in dialogue that sounds like the collected works of James Wechsler, set between quotation marks. And then feel good, all over.

I don't exaggerate. Over the years, I have watched a half dozen shows on capital punishment, the gist of each being that television is on the side of the angels only if its man in Death Row has an IQ of 197 and has written a book about the evils of the penal system. Only once have I seen a capital punishment drama about a brainless thug – a social type which, after all, does make up the bulk of our prison population. (To be fair, the show was written by the aforementioned Mr. Silliphant, I gather before he went pro-

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found.) There was no nonsense in this about there being no such thing as a bad boy; the only didacticism, in fact, came from a tired, old cop giving the state's view on capital punishment. The rest of the hour was virtually a documentary on the minutiae of witnessing an execution, from seating arrangements in the death chamber to the fitting of the metal skullcap over the victim's head. It was so straightforward and unplatitudinous that a gentleman in *Commentary*, no doubt brainwashed by *The Defenders, pére et fils*, spouting Blackstone, construed it as a right-wing tract in favor of the death penalty. Hardly.

It's not, of course, that I consider the Great Issues unfit subjects for television drama. It's just that, Silliphant notwithstanding, Sartre and Kafka don't write for the box. Luke Lowell does. Luke Lowell (his real name has an equally spurious ring) is a typical, successful television writer. He went to Long Beach City College, and after graduation, thought he might join the foreign service, but flunked his orals. So he became an insurance claims adjuster, a vocation he followed contentedly until the day he learned that a deputy sheriff got the same pay and didn't have to use his own car. Quickly, he doffed his mufti for boots and a badge and no professional wear and tear on the family wheels. All the while, he was earning extra money writing at night. A couple of years ago, his moonlighting income topped his sheriff's pay and he quit the department to write full time for television. Last year, he made $40,000, and now producers call him, not vice versa. "They give me an area," he says, "surfing, for example, and so I go home and whip up something on surfing." (The surfing epic actually ended up as something about North Beach beards, since circumstances lent themselves to shooting the show not in Santa Monica, as originally planned, but in San Francisco. Same plot, though.)

I don't mean to disparage Luke Lowell. I envy both his income and his ability to concoct fifteen hour-long plots a year. He is an intelligent, inventive craftsman, but I don't think he has anything to tell anyone about the human condition. Yet the romantic notion persists, reinforced by Merle Miller in his dreary book, *Only You, Dick Daring!*, that something called The System is forcing writers to sell out. To indulge in this notion, you'd have to believe that the Writers Guild of America (West) is full of budding Strindbergs, or that the BBC, which has none of The System's commercial restrictions, is introducing a new Arthur Wing Pinero every week. The Merle Millers of the world would also have you believe that The System is forcing good writers to abandon television. *Ou sont les* Chayevskys *d'antan?* they ask. Making $125,000 a feature picture, that's ou. The fact is that television is a second-rate medium for a writer – one he does not abandon, but graduates from, into the movies or the commercial theatre, where the cachet and the money are greater. Give him enough license to dramatize a Black Mass and he still wouldn't come back.

I think it's about time we learned to live with the fact that television is a medium dedicated to pushing potato chips. And to remember that it always has been. Forget all that bilge about the Golden Age of TV. Hour for hour, programming is no worse today than it

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was ten years ago. It seems so only because television was a novelty then, and people who had hopes for it in 1955 were more willing to excuse its defects. Despite what the pioneers would have us believe, *Studio One* and *The Philco Playhouse* didn't produce *The Wild Duck* every week. They were lucky to get one good show out of every five – which is about the average of *Rawhide* or *Slattery's People*. Nor should we wallow in nostalgia for the "immediacy" of live television. It might have been fun for the actors and the director, but as a viewer, I never saw a live show that could, for example, match *For the People's* ability to capture on film the neurotic quality of New York.

When dramatic television didn't improve, most of us stopped watching, and the mind began to play these nostalgic tricks. And in the euphoria of non-viewing, we fell into the delusion that only social commentary could make TV drama "responsible" again. Never mind that these insights into racial prejudice were to come from some ex-actuary or that the war in South Vietnam was to be resolved on Fire Island. As non-viewers, we could conveniently overlook the fact that good causes cannot be illuminated by playwrights with questionable intellectual candlepower.

As it happened, I was bedridden for a time last winter and became a captive viewer again. If my impatience with the problem shows was total, so also was my amazement that television could occasionally entertain. Cowboys and cops and robbers, the classic plots with new twists: This is the real stuff of dramatic TV. Don't laugh. The best show I saw all last season was on *Gunsmoke*. It was about a boy who mistakenly thought he had killed a man, and with his pregnant wife, went on the run. The story was not in the chase, but in the slowly changing relationship between husband and wife as the boy was driven to keep his own appointment in Samarra. In fact, there is a profound theme; public housing (*vide* any episode of *East Side, West Side*) is not. So admit the Prestons are bores. Rodney Harrington, *si*, Michael Harrington, *no*.

JOHN GREGORY DUNNE

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LETTER FROM ITALY

Love and the Tourist Trade

Rome

This season's first victim was a 20-year old blonde from Michigan. Having won a scholarship, she spent the winter in Paris and decided to take a vacation trip to Italy before returning home. On the way back, she missed her connection in Milan and – apparently not having enough money available to go to a hotel – resigned herself to spending the night in the station waiting room. Approached by two young men who offered to take her for a pizza and a bottle of wine, she accepted when they promised to bring her straight back afterwards. "But, after supper" – her story goes – "I soon realized we were going in the wrong direction. The lights became less and less frequent until we stopped near a field. I hadn't even time to scream before they had gagged me and jumped on top of me. I did my best to defend myself, but there were two of them and they were stronger than I was. Then they drove me back to the station, pushed me out and disappeared."

The press was skeptical. She had, they said, admitted having sexual experience before – as if that makes rape any the less rape – and pointed out that no bruises were found on her body ("just one on her right arm") and her clothing was untorn. The Italian male refuses to accept the evidence of women who state *afterwards* that they were unwilling. He will allow that violence took place only if she is found tied, unconscious and if seriously hurt so much the better.

The police, however, who are very scrupulous when foreigners are involved and have formed special "morality squads" for the purpose, soon traced the two men, who turned out to be Southerners of about 30 – a tailor and a laborer. They are now in prison awaiting trial for rape.

One such incident a year would be enough to keep alive the myth of Italian eroticism – a couple of Latin lovers plus a little violence to add risk and excitement. For four months a year, the spacious sun-drenched beaches and hot deserted cities swarm with German, English, French and American girls in search of adventure. And they can always find young men ready to talk seriously in passionate tones – even if nobody looks twice at them in their own home towns.

Some English statistics claim that 40 percent of the girls who come back from Italian holidays have had sexual relations with natives and many of them have to cope with the consequences. Statistics on such a subject are bound to be inaccurate, and we can allow for exaggeration. But there can be no argument about the fact that, consciously or subconsciously, eroticism is still one of the major tourist attractions in Italy.

Sociologists, moralists, film-directors

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and writers have been trying for over 20 years to explain why. But is it all that complicated? Girls on the lookout plus "young lions" (as the Neapolitan variety call themselves) untroubled by scruples. In one of his early films – and it may well be his best – Federico Fellini has gone to the root of things by showing the boredom and frustration of the "Vitelloni" Italian youths in provincial towns – enduring the long winter months and waiting for the first tourists to arrive in early summer. The caustic words of the French writer who said that Italy is one of the countries in the world where the least lovemaking takes place and the greatest importance is given to it are equally true.

But is all this not beginning to seem out of date? Italian society has been going through a new phase of development, and economic and industrial progress brings an inevitable modification in customs and morality. The more young people get caught up in the productive system the more "love" becomes a leisure-time occupation. The girls, too, are involved and virginity is no longer the indispensable condition of matrimony in Italy. Catholic priests are forced to admit that their homilies against flirting and "acts of impurity" have ceased to have the slightest effect.

The fact that the Church has become resigned to birth control is an event of historic importance. The Pope's theologians have been at work for some time on a document that will probably be presented at the next session of the Council announcing that, under certain circumstances and limited, of course, to married couples, the church considers use of the pill to be legitimate. The first step will have been taken.

Especially in the South this process is extremely slow. In towns in Lucania and Calabria where the first factories have appeared women are seen, smiling gaily as if they had just woken up from a nightmare, wearing working trousers! Work has restored their dignity and independence. The men accuse these "skirtless women" of impious shamelessness until they themselves move North, find out about the "easy" tourists and cause the sort of "misunderstanding" that involved that poor girl from Michigan.

The big teenage hit song this year is called "Our Biggest Problem." It states that a boy needs a girl every evening and when there isn't one available or she breaks the date he is so sad that the world is grey and nothing makes life worth living.

It would, however, be quite wrong to give the impression that eroticism is the only raw material of the Italian tourist trade. Important though it is, it remains a single aspect of a highly complicated and manifoldly-developing phenomenon. What is really new is that now in 1965, Italians are waking up to the fact that tourism is the country's biggest business (it is estimated that, by the end of the year, 25 million foreigners will have spent over a million dollars – or the equivalent of the entire deficit in the blackest year of the recent crisis and not so very much less than the total annual turnover of Fiat, the key industry of the economy).

Latin lovers, dishonest hotel-keepers and out-of-date publicity could obviously not have been left to administer such a patrimony. Late though it is, the Italians have at last realized that they cannot afford to let the Swiss mountains and French and Spanish Rivieras take their potential customers. They have even understood that Texans expect one sort of vacation and New Yorkers another. And so, as part of the center-left government's five-year plan, a Socialist Minister is in charge of the tourist trade. For the first time, Italy is going in for planned tourism at government level complete with market-research, regulations and a "code of hospitality" which lays down what tourists are likely to appreciate and what they will refuse to accept.

Confusing the second half of the 20th with the 19th Century, Italians still obstinately tend to disparage mass tourism. Traditionally, they expect travellers to be rich and indifferent to expense. It is hard for them to realize that millions of small consumers – each on a tight budget calculated to the last half-cent – bring much higher profits than were dreamed of during the Belle Epoque. Twelve thousand automobiles a day cross the Brenner Pass into Italy. Seven million of the 25 million tourists come in compact masses, making forced marches with their Household Gods in the technological guise of a plethora of new products, in aluminum or plastic caravans with tents and boats strapped to the roof, loaded with gear and gadgets – to prove that mass migrations can still take place.

It is no accident that these modern nomads flock to the Adriatic coast – that species of vast Coney Island is their obvious goal. It may be the least Italian part of modern Italy, but it is the cheapest and best-geared to the requirements of mass tourism – full-board and folk-lore on four dollars a day! It is probably no accident either that this is one of Italy's "red zones." The majority of the local Councils are Communist-run and, only the other

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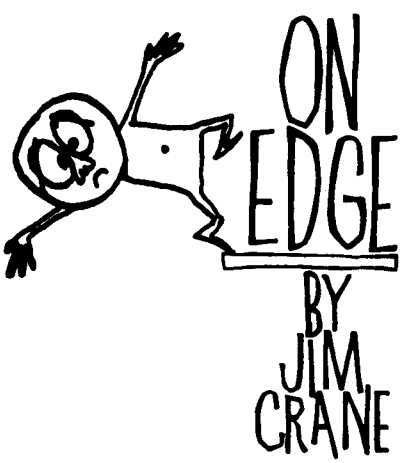

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day, Rimini, the capital, gave the democratic parties a slap in the face at local elections. Nowhere else in Italy is private enterprise so protected or the bourgeoisie so flourishing. Communist councillors bend over backwards to please German tourists – the worker-bees of the neo-Capitalism their newspapers never tire of denouncing.

ENZO FORCELLA

Correspondence

Arnold and the Antitrust Laws

Sirs:

At least two comments ought to be made regarding Joseph Featherstone's discussion (August 7) of Thurman Arnold's writings. After relating Arnold's thesis of 1937 that the antitrust laws promoted the growth of industrial giants "by deflecting the attack on them into purely moral and ceremonial channels," Featherstone postulates that "outraged Progressives seldom read further than this," thus they failed to discover "that Arnold was not completely ignoring the benefit of antitrust laws," which benefit lay in their encouragement of "the idea that great corporations could be made responsible to the public," making the giants "strive for respectability," and thus assisting the assumption of power by "a new type of businessman, . . . committed to steady, moderate profits and rationalization of industry; and attentive to public opinion."

To the contrary: The "Progressives" read more of *The Folklore of Capitalism* than did Featherstone, only to become all the more "outraged." They found Arnold arguing that corporations, regarded by everyone as "individuals which should be moral and gentlemanly in their dealings," found it expedient to conform to that image and began to substitute for the "ruthless suppression of competitors by any means available" of the old days those corporate practices which followed "the current moral concepts of what an individual should do," which new practices "most effectively gave great organizations their positions of dominance." Most important among the new, respectable methods were the manipulation of securities, pooling of patents, and price leadership and control. These practices, encouraged by the antitrust laws, were beneficial to none but their perpetrators, who were now provided with "the clothes of rugged individualism," and, wrote Arnold, "The net result of the antitrust laws was to make the most effective forms of competition, *i.e.*, competition that hurt, appear to be a lack of a cooperative and Christian spirit." There is no evidence in *The Folklore of Capitalism* that Arnold viewed the effects of the antitrust laws as beneficial in the sense Featherstone intends.

Secondly, Featherstone wonders what Arnold might think of J. K. Galbraith's apparent downgrading of the importance of antitrust in his *American Capitalism*. As Arnold wrote in 1962, "The decisions of the Supreme Court of the United States since 1937 have tremendously broadened the enforcement of antitrust policy." Thus the protective barrier afforded the giants of industry against "competition that hurt" had begun to crumble. Once more a conflict Arnold would describe as between "mental pictures of what men thought society ought to be" and "reality" demanded resolution. This time the deflection ("inevitable," Arnold would say) of the attack on the growth of giant industry has found its roots in the academic world. Rather than deflecting this attack "into purely moral and ceremonial channels," the new protective covering took the form of attempts to modify the old economic "folklore" so as to create the appearance of an effectively functioning, though highly concentrated, industrial economy.

The net result of the popularization of these ideas, together with the use, as Arnold described in 1937, of public relations experts by big business to gain respectability, has created a new "folklore": (1) the present degree of industrial concentration is necessary for production at lowest possible costs; (2) the research necessary for continued progress can be undertaken only by firms with the financial resources of today's giants; (3) huge firms really are competitive (though perhaps not in the traditional way) . . . These "principles," each perhaps as suspect as the earlier insistence upon treating the corporation as an individual at law, are likely to allow the behemoths of American industry once again to escape "the most effective forms of competition, *i.e.*, competition that hurts."

John F. Bowen
Department of Economics
Ripon College

Reapportionment in California

Sirs:

There is more to the reapportionment situation in California than the power-greedy State Senators whom James W. Singer condemns (August 21).

I am heartily in favor of "one man one vote" in both houses of State Legislatures, if only because the present system is one of the ways in which Negroes have been prevented from representation in the South. Also, as a city-dweller, I deplore the undue influence of rural Senators under the present system.

But here in California we face the prospect that once the Senate is reapportioned, the southern part of the state will overwhelm the northern part. We have the water, but they have the people. It was Southern California who gave us a right-wing movie actor as our junior Senator in Washington; it is Southern California which threatens next time to give us another right-wing movie actor as our Governor. Fewer than a quarter of the State's 58 counties are in Southern California, and for this reason more than once the State Senate has been Central and Northern California's only protection.

The logical thing to do, of course, would be to divide the State in two. But practically, that is impossible, because most of the voters are in Southern California and will always vote us down. I am surprised that Mr. Singer, who lives in Central California, has

NOTES ON CONTRIBUTORS

Ralph Robin *is collecting a volume of his poems.* Michael Alderman is a *physician engaged in research.* John Gregory Dunne, *with this article, begins a regular column on television.* Enzo Forcella *is a Roman journalist.*

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not mentioned this phase of the problem. If it were a mere question of Alpine-Inyo-Mono Counties' interests against those of Los Angeles County, his arguments would be cogent. But his county (Santa Cruz) and mine (San Francisco) will share in the Southern California Supremacy once reapportionment – otherwise so desirable – is established. I am willing to accept it, for the greater good of the nation as a whole. But a great many of my fellow-citizens are not.

Miriam deFord Shipley
San Francisco, Calif.

English, Well and Good

Sirs:

It is hard to guess what mischievous purpose lay behind the publication of Guy Daniels' review of T. M. Bernstein's *The Careful Writer* (August 21, 1965). Mr. Daniels is no expert on usage, no linguist, no lexicographer. . . . A casual reading of the review by any fair-minded person must reveal that this was a genuine miscalculation. I don't know what cause this review was designed to support, but it surely does not reach those whom it purports to attack: people mysteriously labelled "The Destructionists" or the like.

To take just one point from the mish-mash of error produced by the reviewer, let me instance his concluding emphasis on what he calls the real threat to Good English – curious how these self-appointed experts can always detect the real threat, hidden from grosser intellects – under the elegant names of "creeping cretinism" and "flabby genteel." These he illustrates with a supposed misuse of *well* ("You look well in that blue dress"). Unfortunately for Mr. Daniels, who wished to exemplify hypercorrectness, the example is badly chosen. *Well* has for a number of centuries been both adjective and adverb in English, as in "He is not a well man" and "All is well." Should these be "He is not a good man" and "All is good"? To most people without the reviewer's keen scent, "look good" and "look well" are equally acceptable in the cited context and are both historically and logically grammatical.

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to paraphrase Mr. Daniels, might also object to his misuse of such terms as *scribe, bemuse, classic* and of course, *of course* – an evident pleonasm.

Louis T. Milic
Assistant Professor
of English
Columbia University

Ethics and Psychoanalysis

Sirs:

I am writing to object strongly to Dr. Zelda Teplitz's review (August 7) of *The Ethics of Psychoanalysis*. I am moved to write partly because the book falls within my own field of interest; however I would be less than candid not to mention also that I am partial to many, though not all, of the views of Thomas Szasz. . . . It takes Dr. Teplitz a full column of stage-setting before she even mentions Dr. Szasz's book. How ingenious of her to get her licks in first, especially when she reminds the reader that "All regular members of the American Psychoanalytic Association are physicians, except for a very few," implying that non-medical practitioners probably have inferior training. The uninitiated reader might find her references a bit mystifying – why bring in all this information at the beginning of a review? – unless he knew that one of Dr. Szasz's major arguments (particularly in *The Myth of Mental Illness*) is that medical training is irrelevant to "problems in living," as he chooses to term them. Dr. Teplitz's answer shows that, whatever her doctrine, her temperament is of the Right: She says, in effect, "This is how it is; therefore it must be good."

Next, after a single paragraph actually devoted to discussing the book, Dr. Teplitz moves on to guilt by association as her mode of attack: Dr. Szasz has actually written for *The National Review*. Horrors! More blatant still is her pandering to the presumed tastes of *NR* readers, by comparing Szasz to *both* Nixon and Goldwater! If Szasz does have an "instinct for the jugular," as she suggests, the bitterness of this review makes me feel that perhaps it was *her* jugular that was involved.

Dr. Teplitz then moves still farther from forthright discussion of Dr. Szasz's views, as she documents his divergence from psychoanalytic orthodoxy. As Szasz himself has argued (and in *The International Journal of Psycho-Analysis*, at that!), the psychoanalytic movement is unusually intolerant of diversity within its ranks; and his criticism may be especially unpleasant because, as Dr. Teplitz notes, his credentials are so good. Be that as it may, she makes a great point of documenting his cold-shouldering by the Establishment, as though his very dissent were in itself proof of his error. Obviously, anyone who would disagree with the American Psychoanalytic Association must be crazy!

In the last three paragraphs of the review, Dr. Teplitz finally gets around to mentioning a few of Szasz's views, though even here she cannot let an idea get past without rebutting it at twice the length. . . . These rebuttals consist, as usual, of assertions that current practice is at variance with what Szasz suggests. Dr. Teplitz tops the whole thing off by crying that of course, "God is on our side": she invokes Freud as an ally, stating that "He never forgot he was a physician," even though (as she perfectly well knows) Freud devoted an entire book to expounding the view that medical training is not necessary for the effective practice of psychoanalysis. Even more: It seems to me that Szasz, in raising fresh questions and looking at the foundations of current social patterns, is closer to the innovative spirit of Freud than many of those followers who have derived from "basic and accepted practices" the comforting thought that, as a young psychiatric resident once remarked to Jerome Frank, "Even if the patient doesn't get better, you know you're doing the right thing."

John D. W. Andrews
Assistant Prof. of Psychology
Brandeis University

COMING

With Claude Brown

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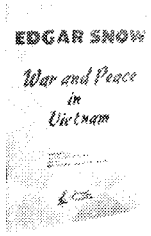

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"Mr. President, the time has come [1954] for the American people to be told the blunt truth about Indochina. . . . I am frankly of the belief that no amount of American military assistance in Indochina can conquer an enemy which is everywhere and . . . has the sympathy and covert support of the people."

Senator John F. Kennedy

"The guerrilla war in South Vietnam is in its fifth year [1964] and no end appears in sight. The Viet Cong in the South, *dependent largely upon their own resources* . . . are pressing their offensive . . . Diem's successors have not yet demonstrated the leadership and inspiration necessary."

CIA Working Paper (italics added)

"Today the rebellion in South Vietnam is popular. North Vietnam and China support it, but it has a life of its own. Neither Hanoi nor Peking commands the Viet Cong."

Former French Premier Edgar Faure

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Senator Wayne Morse

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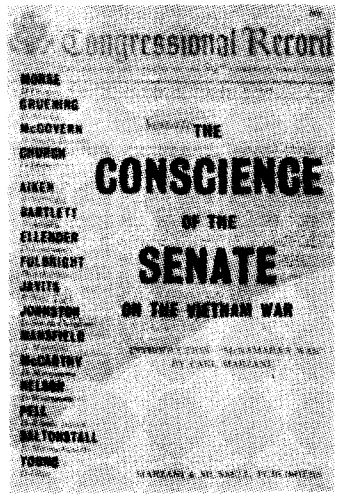

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